

HASKELL	Historical range, habitat no longer suitable (Mote et al. 1998)
HEMPHILL	Historical range, habitat no longer suitable (Mote et al. 1998) Record based on literature in Jones et al. (1987) but not cited in Horner (1995)
HOCKLEY	Historical range (Mote et al. 1998) 2 specimens collected in 1964 from Levelland (TT records in Jones et al. 1987, Horner 1995)
HOWARD	None found during 1996 track and spotlight survey (Mote 1996) Historical range, habitat no longer suitable (Mote et al. 1998)
HUTCHINSON	Museum specimens (Thornton and Creel 1975, Jones et al. 1987, Hubbard 1994, Horner 1995) Historical range, habitat no longer suitable (Mote et al. 1998) Definite records exist (Davis 1966)
IRON	Museum specimen (Jones et al. 1987, not in Horner 1995) Historical range, habitat no longer suitable (Mote et al. 1998)
JONES	Historical range, habitat no longer suitable (Mote et al. 1998)
KENT	Historical range, habitat no longer suitable (Mote et al. 1998)
KING	Historical range, habitat no longer suitable (Mote et al. 1998)
KNOX	Historical range, habitat no longer suitable (Mote et al. 1998)
LAMB	Historical range (Mote et al. 1998) Current range (Kahn et al. 1997) None found during 1996 track and spotlight survey (Mote 1996)
LIPSCOMB	Historical range (Mote et al. 1998) Female and 5 pups captured in 1956 by OSU graduate student (Glass 1956) 2 foxes in possession of a farmer, captured near Booker in 1956 (Glass 1956) Record based on literature (Jones et al. 1987), and museum specimens (Horner 1995) Reported presence during 1998 trapping and spotlighting survey (Mote et al. 1998)
LUBBOCK	Historical range, habitat no longer suitable (Mote et al. 1998) Specimen collected in 1966 from city of Lubbock (TT records in Thornton and Creel 1975, Jones et al. 1987, Horner 1995)
LYNN	Historical range (Mote et al. 1998) Reported by trappers in mid-1980s (Jones et al. 1987) None found during 1996 track and spotlight survey (Mote 1995)
MARTIN	Historical range, habitat no longer suitable (Mote et al. 1998) Specimen collected in 1902 from Stanton (USNM records in Jones et al. 1987, Horner 1995) In Stanton, 1902, ranchers reported to Bailey (1905) that swifts were "scarce" (in Blair 1954, Jones et al. 1987) Definite records exist (Davis 1966) Present based on museum specimens or recent citations (Horner 1995)
MENARD	Historical range (Mote et al. 1998) 2 specimens collected in 1968 (TT records in Hollander et al. 1987 (from Jones et al. 1987), Horner 1995)
MIDLAND	Historical range (Mote et al. 1998) Definite records exist (Davis 1966) Reported from Midland (Bailey 1905 in Blair 1954, Jones et al. 1987)
MITCHELL	Historical range, habitat no longer suitable (Mote et al. 1998)
MOORE	Historical range (Mote et al. 1998) Definite records exist (Davis 1966)

	Jones et al. (1987) and Horner (1995) cite museum specimens from this county without date or which institution Sightings, captures, and tracks found during 1996 track, spotlight, and trapping survey (Mote 1996) Sightings but no captures during 1997 spotlighting and trapping survey (Mote 1997) Sightings and captures during 1998 study (Mote et al. 1998)
DAWSON	Historical range (Mote et al. 1998) Reported by trappers in mid-1980s (Jones et al. 1987) None found during 1996 track and spotlight survey (Mote 1996)
DEAF SMITH	Historical range (Mote et al. 1998) Specimen collected in 1962 from 6.5 mi north of Hereford (KU records) Jones et al. (1987) and Horner (1995) cite museum specimens from this county without date or which institution Unconfirmed roadkill reported by biologist in 1994 (Horner 1995) None found during 1996 track and spotlight survey (Mote 1996)
DICKENS	Historical range, habitat no longer suitable (Mote et al. 1998)
DONLEY	Historical range, habitat no longer suitable (Mote et al. 1998)
ECTOR	Historical range, habitat no longer suitable (Mote et al. 1998)
EDWARDS	Mid-Holocene fossil from Schuize Cave (Dalquest et al. 1964 in Egoscue 1979, Jones et al. 1987)
ELLS	Captive swift fox held in Shattuck in 1956, capture locality unknown (Glass 1956)
FISHER	Historical range, habitat no longer suitable (Mote et al. 1998)
FLOYD	Historical range (Mote et al. 1998) Museum specimen (Creel and Thorton 1971, Thorton and Creel 1975, Jones et al. 1987, Horner 1995) None found during 1996 track and spotlight survey (Mote 1996)
GAINES	Historical range (Mote et al. 1998) None found during 1996 track and spotlight survey (Mote 1996)
GARZA	Historical range, habitat no longer suitable (Mote et al. 1998)
GLASSCOCK	Historical range, habitat no longer suitable (Mote et al. 1998)
GRAY	Historical range, habitat no longer suitable (Mote et al. 1998)
HALE	Historical range (Mote et al. 1998) Specimen collected in 1963 from 4 mi south of Plainview (TT records in Jones et al. 1987, Horner 1995,) None found during 1996 track and spotlight survey (Mote 1996)
HALL	Historical range (Mote et al. 1998)
HANSFORD	Historical range (Mote et al. 1998) 3 specimens collected in 1953 from 10 mi west of Gruver (KU records) 3 specimens collected in 1953 from 1 mi north, 1 mi east of Morse (KU records) Specimen collected in 1956 from 3 mi south of Bernstein (KU records) Definite records exist (Davis 1966) Jones et al. (1987) and Horner (1995) cite museum specimens from this county without date or which institution Swift fox ecology study conducted 1953-1956 (Cutter 1958a, 1958b) None found during 1996 track and spotlight survey (Mote 1996)
HARTLEY	Historical range (Mote et al. 1998) Records appeared in published literature (Jones et al. 1987) None found during 1996 track and spotlight survey (Mote 1996)

**Records of swift fox (*Vulpes velox*) distribution in Texas**  
 (compiled by Northern Prairie Wildlife Research Center and Kansas Department of Wildlife and Parks, September 2000)

<b>County</b>	<b>Distribution Records</b>
ANDREWS	Historical range, habitat no longer suitable (Mote et al. 1998)
ARMSTRONG	Historical range (Mote et al. 1998) Specimens reported from Washburn (Bailey 1905 in Blair 1934, Jones et al. 1987) Definite records exist (Davis 1966)
	None found during 1996 track and spotlight survey (Mote 1996)
BAILEY	Historical range (Mote et al. 1998) None found during 1996 track and spotlight survey (Mote 1996)
BORDEN	Historical range, habitat no longer suitable (Mote et al. 1998)
BRISCOE	Historical range, habitat no longer suitable (Mote et al. 1998)
CALLAHAN	Historical range, habitat no longer suitable (Mote et al. 1998)
CARSON	Historical range (Mote et al. 1998) Tracks and dens found during 1995 survey of Pantex Nuclear Facility (Blair 1995 in Horner 1995), but Mote (Texas Parks and Wildlife Dept., pers. comm.) questions these results None found during 1996 track and spotlight survey, and none trapped at Pantex Nuclear Facility after 1,200 trap nights (Mote 1996)
CASTRO	Historical range (Mote et al. 1998) None found during 1996 track and spotlight survey (Mote 1996)
CHILDRESS	Historical range, habitat no longer suitable (Mote et al. 1998)
COCHRAN	Historical range (Mote et al. 1998) None found during 1996 track and spotlight survey (Mote 1996)
COKE	Historical range, habitat no longer suitable (Mote et al. 1998)
COLEMAN	Historical range, habitat no longer suitable (Mote et al. 1998)
COLLINGSWORTH	Historical range, habitat no longer suitable (Mote et al. 1998)
CONCHO	Historical range, habitat no longer suitable (Mote et al. 1998)
COTTLE	Historical range, habitat no longer suitable (Mote et al. 1998)
CRANE	Historical range, habitat no longer suitable (Mote et al. 1998) Austin College Professor collected 5 skulls in 1968 from fence 10 mi west of McCamey, in Upton County, at point where Pecos, Crane, and Crockett counties meet. Suspected killed by hunters within 1.5 mi. of that spot (Horner 1995)
CROCKETT	Historical range, habitat no longer suitable (Mote et al. 1998) Austin College Professor collected 5 skulls in 1968 from fence 10 mi west of McCamey, in Upton County, at point where Pecos, Crane, and Crockett counties meet. Suspected killed by hunters within 1.5 mi. of that spot (Horner 1995)
CROSBY	Historical range (Mote et al. 1998) Den observed near Lorenzo - foxes common to see on roads at night (Glass 1956) Record based on literature in Jones et al. (1987) but not cited in Horner (1995) None found during 1996 track and spotlight survey (Mote 1996)
DALLAM	Historical range (Mote et al. 1998) Specimen collected in 1955 from 10 mi south of Cinaron County line (OSU records, Glass 1956) In 1973, a specimen was found shot in the Panhandle National Grassland, Dalhart (OSU) Museum specimens collected in 1986 from Whittenburg Ranch (15 & 16 mi west of Stratford, WTSU records), and 21 mi North of Dalhart (TT records)

	Sightings in 1997 and 1998 BF ferret spotlighting survey in Wall Creek District of Buffalo Gap National Grassland (Hetlet and Hodorff 1997) None found during 1998 track and spotlight survey (Zell et al. 1998)
PERKINS	Sighting of specimen in 1963, 1974, 1977, and 1981 (South Dakota Natural Heritage Database 2000) Swift foxes reportedly did exist in mid-1970s (E. Dowd Stukel, South Dakota Dept. Game, Fish, & Parks, pers. comm.) Specimen taken 1973 (Hawley 1974) Male trapped by rancher M. Kari in February 1974 (McDaniel 1975) Confirmed population (Sharps 1977) Reported small population (Hillman and Sharps 1978)
SHANNON	Sighting of specimen in 1977, 1979, 1989, 1991, 1996, and 2000 (South Dakota Natural Heritage Database 2000) Confirmed sightings in Pine Ridge Indian Reservation from 1995-1977 (Unpublished report by K. Hanson, USFWS) 13 foxes trapped in a 1976-77 study (Hillman and Sharps 1978) Confirmed population (Sharps 1977) Confirmed small population (Hillman and Sharps 1978) Swift fox ecology study conducted 1977-1979 (Ureks and Sharps 1986) Fox pair transplanted from Pine Ridge Indian Reservation to Badlands NP (Pennington or Shannon Co.?) in 1987, monitored for 2 years (Consolo 1987) Small scattered population of self fox reported but not substantiated (E. Dowd Stukel, South Dakota Dept. Game, Fish, & Parks, pers. comm.) Reported presence outside of Buffalo National Grassland during 1995 track plate surveys (Kruze et al. 1995)
	In 1996, 1 swift was detected during spot lighting, none from track plate surveys in 1996 (Dato et al. 1996)
SPINK	Spotlight survey in 1976 (South Dakota Natural Heritage Database 2000)
STANLEY	Visual in 1977 and 1992 (South Dakota Natural Heritage Database 2000)
SULLY	Archeological remains found at the Sully site, 20 mi. north of Pierre, occupied within the last 500 years (K. Lippincott, Consulting Archeologist, pers. comm.) Adult female trapped 7 mi north of Harold, in Jan. 1974 (Van Ballenberghe 1975, South Dakota Natural Heritage Database 2000)
TRIPP	Adult male trapped 3 mi west of Millboro, Jan. 1972 (Van Ballenberghe 1975)
WALWORTH	Archeological remains at the Mobridge site (ca. 1650-1700; K. Lippincott, Consulting Archeologist, pers. comm.) Archeological remains at the Walth Bay site (south of Glenham, ca. 1550-1600; Falk and Ahler 1988)
REGIONAL	Reported present in 1803-1805 on Pierre-Antoine Tabeau's fur trading expedition from St. Louis to the Upper Missouri (Abel 1939) Assumed common in state during mid-1800s from service areas of fur trading companies (Johnson 1969) Ludlow (1875) reported swifs "abundant ... on the plains" traveling from Fort Lincoln (Mandan, North Dakota) through Corson and Harding counties South Dakota Over and Churchill (1941) described swifs as abundant statewide until ca. 1875, when the species declined rapidly, and were extirpated by 1945 Federal trapper caught one in western part of state in 1963 (may be same record as Haakon County), and another in 1965 (Fox 1991) E. Birney stated that he could find no records for swift in eastern most tier of counties in South Dakota (E. Birney, Bell Museum Natural History, pers. comm.) Potential range based on distribution of short, mixed-grass, and bunchgrass habitats exist in Aurora, Beadle, Bennett, Bon Homme, Brown, Brule, Buffalo, Butte, Campell, Charles Mix, Clark, Corson, Custer, Davison, Day, Dewey, Douglas, Edmunds, Fall River, Faulk, Gregory, Haakon, Hand, Hanson, Harding, Hughes, Hutchinson, Hyde, Jackson, Jerauld, Jones, Kingsbury, Lake, Lawrence, Lyman, Marshall, McCook, McPherson, Meade, Mellette, Miner, Pennington, Perkins, Potter, Roberts, Sanborn, Shannon, Spink, Stanley, Sully, Todd, Tripp, Turner, Walworth, Yankton, and Ziebach counties (Risser et al. 1981)

No records from 1917 - 1958

**Records of swift fox (*Vulpes velox*) distribution in South Dakota**  
 (compiled by Northern Prairie Wildlife Research Center and Kansas Department of Wildlife and Parks, September 2000)

County	Distribution Records
BENNETT	Sighting or specimen 1966, 1977, 1990 (South Dakota Natural Heritage Database 2000) Specimen captured in coyote-getter in 1966 (McDaniel 1975)
	None found during 1997-1998 spotlight survey or 1998 track survey (Althoff et al. 1997, Zell et al. 1998) Occurrences of swift foxes in recent years (Althoff et al. 1997) None found during 1998 track and spotlight survey (Zell et al. 1998)
BUTTE	R. Krige, USFWS, observed a swift in December 1970 (McDaniel 1975, South Dakota Natural Heritage Database 2000)
CHARLES MIX	Swift fox trapped and released in 1990 (South Dakota Natural Heritage Database 2000)
CORSON	Swift fox bones were the fifth most common element at the Lower Grand archeological site, across the Missouri River from Mobridge (Falk and Ahler 1988) Ludlow (1875) reported them abundant on the plains Hoffman (1877) reported swifts near a military post on Grand River & west bank of the Missouri River in Dakota Territory Found (dead?) in October 1958 near Morristown by L. Roth (South Dakota Game, Fish, & Parks, McDaniel 1975) Road kill in 1974 (South Dakota Natural Heritage Database 2000) Female trapped by rancher, C. Engelhome, near Morristown in December 1974 (McDaniel 1975, South Dakota Natural Heritage Database 2000)
CUSTER	Sighting in 1985 (South Dakota Natural Heritage Database 2000)
DEWEY	Swift fox bones were the third most common element at the Walth Bay archeological site, 20 mi south of Mobridge (Falk and Ahler 1988)
FALL RIVER	Sighting or specimen in 1970, 1973, 1989, 1990, 1991, and 1996 (South Dakota Natural Heritage Database 2000) Recorded observations in 1966 (McDaniel 1975) Trapped in 1970 on east of Morgan ranch, near Smithwick (Hawley 1974, Van Ballenberghe 1975, McDaniel 1975, USNM records) July 1973, M. Andersen (USFWS pilot) observed a swift fox near Morgan ranch (McDaniel 1975) Reported scattered individuals (Hillman and Sharps 1978) Small scattered population reported but not substantiated (E. Dowd Stukel, South Dakota Dept. Game, Fish, & Parks, pers. comm.) Reported presence in 1989, 90, 95, 97 surveys of Buffalo Gap National Grassland, none found during 1991-94 surveys (Hetlet 1991, Hetlet 1995, Hetlet and Hod Reported presence and den found, outside Buffalo Gap National Grassland, during 1995 track plate surveys (Kruse et al. 1995)
HAAKON	Sighting or specimen in 1963, 1974, 1977, and 1979 (South Dakota Natural Heritage Database 2000) R. Hanson trapped and released a swift fox near Billsburg in December 1963 (McDaniel 1975) M. Hanson trapped a female swift fox near Billsburg in December 1974 (McDaniel 1975) Reported small population (Hillman and Sharps 1978) Confirmed population (Sharps 1977)
	Swift foxes reportedly did exist in mid-1970s (E. Dowd Stukel, South Dakota Dept. Game, Fish, & Parks, pers. comm.)
HARDING	Sighting, described as present but rare (Visser 1914) Ludlow (1875) reported swift foxes abundant on the plains
HUGHES	Archeological remains at the Pierre Indian Learning Center site (ca. 1620-1750, K. Lippincott, Consulting Archeologist, pers. comm.) Specimen taken 1.5 mi northwest of Pierre in 1917 (USNM records)
MINER	Potential range based on distribution of short and mixed-grass habitat (Risser et al. 1981)
PENNINGTON	Sighting or specimen in 1983 and 1989 (South Dakota Natural Heritage Database 2000) Family transplanted from Pine Ridge Indian Reservation to Badlands (Pennington or Shannon Co.?) in 1987 (Consolo 1987) Reported during 1995 track survey in Buffalo National Grassland (Hetlet 1995) No formal survey in 1996, but sightings in Badlands National Park (SFCT 1996)

	None found during 1997 track survey (Hoagland 1997) Visual on Hwy 94 and Rd "M" or "N" in Nov. 1997 (Max Crocker, on fox survey sheet 8/8/98)
WOODS	Reported presence during 1998 track surveys (Hoagland 1998) Fox extracted from hole and released during 1956 rattlesnake hunt near Waynoka, hunters were sure it was not a gray fox (Glass 1956)
WOODWARD	Western parts included in historic range (Hall and Kelson 1959, Hall 1981, Caire et al. 1989) Den excavated by farmer in 1956 (Glass 1956, cited by Caire et al 1989) None found during 1997 track survey (Hoagland 1997)

REGIONAL	Historic range was the panhandle (Beaver, Cimarron, & Texas) and western counties (Ellis, Harper, & Woodward, Duck and Fletcher 1945, Hoagland 1995) First specimen records from OK taken in Oct. 1888 from Neutral Strip, Indian territory (the panhandle; Caire et al. 1989). May be same as 3 specimens without dates or counties, labeled only as "Neutral Strip" (KU records) 2 taken from panhandle (Jones 1964) Federal trapper stated in 1966 that swifts never seen or trapped east of central Beaver CO. (Caire et al. 1989) Swifts are characteristic of the Short-grass Plains district (i.e. the panhandle and just east; Blair and Hubbel 1938) Potential range based on distribution of short, mixed-grass, and bunchgrass habitats exist in Alfalfa, Beaver, Beckham, Blaine, Caddo, Canadian, Cimarron, Cleveland, Comanche, Cotton, Custer, Dewey, Ellis, Garfield, Garvin, Grady, Grant, Greer, Harmon, Harper, Jackson, Kay, Kingfisher, Kiowa, Logan, Major, McClain, Noble, Oklahoma, Osage, Pawnee, Roger Mills, Stephens, Texas, Tillman, Washita, Woods, and Woodward counties (Risser et al. 1981)
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First sighted 1888, no records until 1951

Records of swift fox (*Vulpes velox*) distribution in Oklahoma  
(compiled by Northern Prairie Wildlife Research Center and Kansas Department of Wildlife and Parks, September 2000)

County	Distribution Records
BEAVER	<p>Historic range (Hall and Kelson 1959, Hall 1981, Caire et al. 1989)</p> <p>Observed in 1950s and 1960s (Cutter 1958a, Kilgore 1969)</p> <p>Den excavated near Elmwood, 1956 (Glass 1956, cited by Caire et al. 1989)</p> <p>13 specimens collected in 1950 near Gray (KU records in Caire et al. 1989)</p> <p>Specimen collected 7 mi southwest of Balco in 1960 (OSU records in Caire et al. 1989)</p> <p>2 specimens collected in 1963 at the Texas state line on Highway 83 (OSU records in Caire et al. 1989)</p> <p>Specimen collected 3 mi east of Elmwood in 1963 (OSU records)</p> <p>7 specimens collected in 1965-66 from T1S, R21E, 1 from T1N R21 E (KU records)</p> <p>Sightings by Oklahoma Dept. Wildlife Conservation biologists in 1989 (Hoagland, 1996)</p> <p>Reported presence during 1995-97 track station surveys (Hoagland 1995, 1996, 1997)</p> <p>Reported presence in 9 townships during 1999 track surveys (J. Hoagland, Oklahoma Dept. of Wildlife Conservation, pers. comm.)</p>
CIMARRON	<p>Historic range (Hall and Kelson 1959, Hall 1981, Caire et al. 1989)</p> <p>Visual of fox family at prairie dog town near Griggs in 1964 (Caire et al. 1989)</p> <p>Sightings by Oklahoma Dept. Wildlife Conservation biologists in 1988 (Hoagland 1996)</p> <p>Specimen taken (no date) to Carnation University Museum (Caire et al. 1989, same as USNM record taken in 1965?)</p> <p>Specimen taken in 1965 from somewhere in county (USNM records)</p> <p>Tracks found on Rita Blanca National Grassland (Hoagland 1995)</p> <p>Reported presence during 1995-98 track surveys (Hoagland 1995, 1996, 1997, 1998)</p>
ELLIS	<p>Western parts included in historic range (Hall and Kelson 1959, Hall 1981)</p> <p>1 held in captivity in 1956 in Shattuck, capture location unknown (Glass 1956)</p> <p>Reported presence from 1993 - 1996 from scent-station surveys on Packsaddle Wildlife Management Area (Hoagland 1996)</p> <p>None found during 1997 track survey (Hoagland 1997)</p>
HARPER	<p>Roadkill May 1999 (J. Hoagland, Oklahoma Dept. Wildlife Conservation, pers. comm.)</p> <p>Western parts included in historic range (Hall and Kelson 1959, Hall 1981)</p> <p>Reported presence from 1996 track survey (Hoagland 1997)</p> <p>None found during 1997 track survey (Hoagland 1997)</p>
ROGER MILLS	<p>Sightings by Oklahoma Dept. Wildlife Conservation biologists in 1994 (Hoagland 1996)</p>
TEXAS	<p>Historic range (Hall and Kelson 1959, Hall 1981, Caire et al. 1989)</p> <p>Observed between 1951 and 1957 (Cutter 1958a, Cutter 1959)</p> <p>Pup taken from den in 1955-56 few mi south of Guymon (Glass 1956, cited by Caire et al. 1989)</p> <p>Specimen collected near Guymon in 1957 (OSU records, may be one of pups from Glass 1956)</p> <p>Specimen collected 5 mi northwest of Goodwell (OSU records in Caire et al. 1989)</p> <p>Road kill on US 64, 2 mi south, 3 mi east of Eva, November 1956 (Glass 1956)</p> <p>Specimen collected 15 mi east of Hardesty (Caire et al. 1989)</p> <p>Sightings by Oklahoma Dept. Wildlife Conservation biologists in 1988 (Hoagland 1996)</p> <p>Reported presence during 1995 track station surveys (Hoagland 1995)</p> <p>Reported presence during 1996 track surveys (Hoagland 1996)</p>

	<p>Bailey (.914) reported swift foxes occurred in western part of North Dakota</p> <p>Swanson et al. (1945) said swift foxes were found throughout the state historically</p> <p>Potentia range based on distribution of short, mixed-grass, and bunchgrass habitats exist in Adams, Barnes, Benson, Billings, Bottineau, Bowman, Burke, Burleigh, Cass, Cavalier, Dickey, Divide, Dunn, Eddy, Emmons, Foster, Golden Valley, Grand Forks, Grant, Griggs, Hettinger, Kidder, La Moure, Logan, McHenry, McIntosh, McKenzie, McLean, Mercer, Morton, Mountrail, Nelson, Oliver, Pembina, Pierce, Ramsey, Ransom, Ranville, Richland, Rolette, Sargent, Sheridan, Sioux, Slope, Stark, Steele, Sutsman, Towner, Trail, Walsh, Ward, Wells, and Williams counties (Risser et al. 1981)</p>
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No records from 1915 - 1970



Records of swift fox (*Vulpes velox*) distribution in North Dakota  
(compiled by Northern Prairie Wildlife Research Center and Kansas Department of Wildlife and Parks, September 2000)

County	Distribution Records
BOWMAN	Visher (1914) reported sighting from the Little Missouri River Valley in this county.
CAVALIER	None found during track surveys 1995-1998 (Allen 1995, 1996, 1997, 1998) Alexander Henry's journals indicated swift foxes trapped from the Pembina Mts. "35 mi west of Minnesota" from 1801 to 1805 (Swanson et al. 1945)
GOLDEN VALLEY	C. Cavileer reported 400-600 swift foxes trapped from the Pembina Mts. before bison disappeared. (Swanson et al. 1945) Used to be common in Sentinel Butte but became very scarce "... since country had settled up" (Bailey 1926) Confirmed sighting by 2 North Dakota Game & Dept. personnel in 1990 (USFWS 1990) None found during track surveys 1995-1998 (Allen 1995, 1996, 1997, 1998)
MCKENZIE	Sighted near Fort Union in 1843 by Audubon and Bachman (1854; in Bailey 1926, Knowles et al. in press) Museum specimen taken near Fort Union by Culbertson in 1850 (Bailey 1926 cites "National Museum" but no such specimens exist in USNM records) Very scarce in vicinity of Goodall in 1915 (Bailey 1926)
MERCER	Recorded by Audubon near Fort Clark in 1833 (Bailey 1926) Maximilian frequently saw swifts near Fort Clark in 1833 (Wied 1841 in Bailey 1926) Confirmed sighting in 1976 (Seaborn et al. 1978 in USFWS 1990)
MORTON	Archeological remains found at On-The-Slant Mandan village at Fort Lincoln State Park (K. Lippincott, Consulting Archeologist, pers. comm.) Bailey sent 3 specimens from Mandan to USNM in 1900 (USNM records)
MOUNT RAIL	None found during 1995 track survey (Allen 1995)
PEMBINA	Lewis and Clark mentioned Assiniboin Indians trading foxes 25 mi above the mouth of the Little Missouri River in 1805 (Bailey 1926) Alexander Henry trapped swifts from Pembina Mts. "35 mi west of Minnesota" from 1801 to 1805 (Swanson et al. 1945) C. Cavileer reported 400-600 swift foxes trapped from the Pembina Mts. before bison disappeared. (Swanson et al. 1945)
RANSOM	Trapped in 1994 (Steve Allen, NDG&F, pers. comm., 1999) None found during 1995 track survey (Allen 1995)
SLOPE	Carcass recovered 9 mi north and 2 mi east of Scranton in 1970 (Pfeiffer and Hibbard 1970) None found during track surveys 1995-1998 (Allen 1995, 1996, 1997, 1998, 1999)
WALSH	Last swift fox taken in this region of the state was by O. Dahal in 1876 (Bailey 1926) In 1909, swifts caught around Minnot were so rare that they were often mounted (Bailey 1926)
WILLIAMS	Sighted near Fort Union in 1843 by Audubon and Bachman (1854; in Bailey 1926, Knowles et al. in press) Museum specimen taken near Fort Union by Culbertson in 1850 (Bailey 1926) Mounted specimen taken near Williston in 1911 (Bailey 1926)
REGIONAL	A. Henry reports trapped swift foxes from Park, Reed, Salt, and Turtle Rivers and the Hair Hills (Pembina Hills) between 1800-05 (Bailey 1926) and 1800-1808 (Reid and Gannon 1928) F. V. Hayden reported in 1862 that he caught 50-100 each winter near each trading post of the Missouri River (Bailey 1926) Common along the Souris (Mouse) River in 1873 (5 USNM specimens collected by Coues, in Bailey 1926, Seton 1927) In 1873, they were "Quite Frequent" on expedition from Fort Rice (on the Missouri near the geographic center of ND) due west to the Yellowstone River, and along the Musselshell River, MT (Allen 1874, also cited in Knowles et al. in press) Grinnel found swift foxes to be abundant along the Little Missouri River in 1874 when traveling to the Black Hills (Custer 1875 in Knowles et al. in press) Ludlow (1875) reported swifts "abundant ... on the plains" from Fort Lincoln (Mandan, North Dakota) through Corson and Harding counties South Dakota (from E. Dowd Stukel, South Dakota Dept. of Game, Fish, and Parks, pers. comm.)

No records from 1894 until 1928 (questionable specimens in MSB records) except unconfirmed reports in Bailey (1931).  
No records from 1928 to 1952 (MSB record for Curry County)

	Specimens collected in 1996 (Schmitt and Mower 1996) Present in county (Thompson et al. 1996)
LINCOLN	Present 1996 - 1997 scent station and spotlight surveys, ADC records, specimens collected (Harrison and Schmitt 1997)
LUNA	Present in county (Thompson et al. 1996)
MC KINLEY	Present in county (Thompson et al. 1996)
MORA	Undetermined, integrades, or hybrids trapped between 1980-1988 (Hubbard 1994) Present in county (Thompson et al. 1996)
OTERO	Present 1996 - 1997 scent station and spotlight surveys, and harvest records (Harrison and Schmitt 1997) * 5 specimens collected from in 1994-95 from Fort Bliss, North McGregor range (TT records), not labeled to subspecies, may be <i>V. macrotis</i>
QUAY	Present in county (Thompson et al. 1996) Records west of counties with the Pecos River are questionable (Kahn et al. 1997)
ROOSEVELT	Reported presence in 1997 scent station, ADC records, and specimens collected (Harrison and Schmitt 1997) None found in cropland area in southeast Quay (Harrison and Schmitt 1997)
SAN JUAN	Present in county (Thompson et al. 1996) Records west of counties with the Pecos River are questionable (Kahn et al. 1997)
SAN MIGUEL	First state record, skull collected in 1879 from Cabra Spring by W. B. Pease (Hubbard 1994, USNM records) Undetermined, integrades, or hybrids trapped between 1980-1988 (Hubbard 1994) Confirmed historical range by museum specimens or reported in literature (Hubbard 1994) Reported presence in 1997 scent station survey (Harrison and Schmitt 1997)
UNION	Specimen collected by Seton (1927/1953) between October 1893 and February 1894 from Clayton, 12 mi southwest of Oklahoma panhandle (in Caire et al 1989, Hubbard 1994) 4 specimens found dead on roads between 1967-1969 (ENMU and UOMZ records in Best 1971, Hubbard 1994) Trapped between 1980-93 (Hubbard 1994, Schmitt and Mower 1996) Present in county (Thompson et al. 1996) Den sightings, road kill, and tracks found during 1996 track and spotlighting surveys (Schmitt and Mower 1996) Present 1997 scent station & spotlighting surveys, ADC records, and 4 specimens collected (Harrison and Schmitt 1997)
VALENCIA	Present in county (Thompson et al. 1996) Records west of counties with the Pecos River are questionable (Kahn et al. 1997)
REGIONAL	Bailey (1931) lists <i>V. macrotis</i> as "New Mexico Desert Fox" and <i>V. velox</i> as both Kit and Swift Fox. Bailey (1931) stated that no specimens known from New Mexico, but reported that specimen from Santa Rosa may be <i>V. macrotis</i> , but he believes it is <i>V. velox</i> . Bailey (1931) states that swift "... undoubtedly occupies the Upper Sonoran plains east of the Pecos Valley and the Sangre de Cristo Mts " but had no specimens or sightings. Swifts may have been rare (Homer 1995) Potential range based on distribution of short, mixed-grass, and bunchgrass habitats exist in Chaves, Colfax, Curry, De Baca, Guadalupe, Harding, Lea, Mora, Quay, Roosevelt, San Miguel, and Union counties (Risser et al. 1981)

**Records of swift fox (*Vulpes velox*) distribution in New Mexico**  
**(compiled by Northern Prairie Wildlife Research Center and Kansas Department of Wildlife and Parks, September 2000)**

<b>County</b>	<b>Distribution Records</b>
CHAVES	Undetermined, intergrades, or hybrids trapped between 1980-1988 (Hubbard 1994) Specimen collected in 1996 from 17.4 mi south of Chaves, labeled as <i>V. velox macrotis</i> (MSB records) Present in county (Thompson et al. 1996)
COLFAX	None found in October 1996 - May 1997 scent station and spotlight surveys or harvest records (Harrison and Schmitt 1997) Trapped between 1980-93 (Hubbard 1994, Schmitt and Mower 1996) Sighting and tracks found during 1996 track and spotlight surveys (Schmitt and Mower 1996) Present in October 1996 - May 1997 scent station and spotlight surveys and harvest records (Harrison and Schmitt 1997)
CURRY	Specimen collected in 1952 from 23 mi northwest of Melrose (MSB records) Specimen collected in 1957 5 mi northeast of Clovis (MSB records in <i>Hubbard 1994</i> ) Specimen collected in 1966 from south of Melrose (ENMU records in Hubbard 1994) Present in county (Thompson et al. 1996) Present from harvest records, none found during 1997 scent station and spotlight survey (Harrison and Schmitt 1997)
DE BACA	Specimen collected in 1962 from 8 mi south of Yeso (MHP records) Undetermined, intergrades, or hybrids trapped between 1980-1988 (Hubbard 1994) Collected 1982 from Highway 60, between Ft. Sumner and Vaughn (Hubbard 1994, but in MSB records as <i>V. velox neomexicana</i> ) Present in county (Thompson et al. 1996) Reported presence in October 1996 - May 1997 scent station surveys (Harrison and Schmitt 1997)
DONA ANA	Present in county (Thompson et al. 1996) Records west of counties with the Pecos River are questionable (Kahn et al. 1997)
EDDY	Undetermined, intergrades, or hybrids trapped between 1980-1988 (Hubbard 1994) Present in county (Thompson et al. 1996) Specimen collected in 1996 (Schmitt and Mower 1996)
GUADALUPE	*Reported to Bailey (1931), may be <i>V. macrotis</i> , but he believed it was <i>V. velox</i> . Specimen collected from 2 mi south of Pastura in 1956 (Ku record in Findley et al. 1975 [from Hubbard 1994]) Undetermined, intergrades, or hybrids trapped between 1980-1988 (Hubbard 1994) Present in county (Thompson et al. 1996) Reported presence in 1997 scent station and spotlighting surveys (Harrison and Schmitt 1997)
HARDING	Specimen collected in 1967-1968, 12 mi north, 1 mi west of Roy (Hubbard 1994) Trapped between 1980-93 (Hubbard 1994, Schmitt and Mower 1996) Sighting at suspected den and tracks found during 1996 track and spotlighting survey (Schmitt and Mower 1996) Present in county (Thompson et al. 1996) Present October 1996 - May 1997 scent station surveys, ADC records, and 6 specimens collected (Harrison and Schmitt 1997)
HIDALGO	*Specimens collected in 1985 8-10 mi north of Antelope Wells (MHP records labeled as <i>Vulpes velox</i> , likely <i>V. macrotis</i> )
LEA	*Specimen collected in 1962 from 7.3 mi north of Tatum (listed in TT records as <i>V. velox</i> , Packard and Bowers [1970] identified it as <i>V. macrotis</i> , but Rowher and Kilgore [1973] identified it as <i>V. macrotis</i> x <i>V. velox</i> ) Specimen collected in 1965 from 19 mi east, 8 mi south of Maljamar (Packard and Bowers 1970, Hubbard 1994, TT records) 7 specimens collected in 1965 from 4 mi south of Lovington (KU records) Specimens collected in 1965 & 1967 (Packard and Bowers 1970, Hubbard 1994) Undetermined, intergrades, or hybrids trapped between 1980-1988 (Hubbard 1994)

	<p>Probably western 1/3 by 1964 (Jones 1964)</p> <p>1 trapped somewhere in the state in 1970 (Hawley 1974)</p> <p>Counties in Jones (1964) historic range but not listed in other references include: Adams, Arthur, Banner, Blaine, Boone, Boyd, Brown, Buffalo, Butler, Cheyenne, Clay, Colfax, Custer, Dawson, Deuel, Fillmore, Franklin, Frontier, Furnas, Gage, Garden, Garfield, Gosper, Grant, Greeley, Hall, Hamilton, Harlan, Hayes, Hitchcock, Holt, Hooker, Howard, Jefferson, Keyapaha, Knox, Lancaster, Lincoln, Logan, Loup, Merrick, Nance, Nuckolls, Phelps, Pierce, Platte, Polk, Rock, Saline, Scotts Bluff, Seward, Sherman, Stanton, Thayer, Thorrns, Valley, Webster, Wheeler, and York</p> <p>Potential range based on distribution of short, mixed-grass, and bunchgrass habitats exists in Adams, Antelope, Arthur, Banner, Boone, Box Butte, Boyd, Buffalo, Cedar, Chase, Cherry, Cheyenne, Custer, Dawes, Dawson, Deuel, Dundy, Franklin, Frontier, Furnas, Garden, Garfield, Gosper, Greeley, Hall, Hamilton, Harlan, Hayes, Hitchcock, Holt, Howard, Kearney, Keith, Keya Paha, Kimball, Knox, Lincoln, Loup, Merrick, Morrill, Nance, Nuckolls, Perkins, Phelps, Red Willow, Rock, Scotts Bluff, Sheridan, Sherman, Sioux, Valley, Webster, and Wheeler counties (Risser et al. 1981)</p>
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No records from 1905 - 1953

MADISON	Reported by Cary (MS [ca. 1905] in Jones 1964)
MC PHERSON	Historical range (Jones 1964) Historical range (Jones 1964) Adult female roadkill 1 mi east of Ringgold on 25 March 1966 (Blus et al. 1967, Lock 1980, Nebraska Game & Parks Commission records)
MORRILL	Historical range (Jones 1964) Sighting near Bridgeport in 1953 or 1954 (Jones 1964) Confirmed sighting in 1954 (Lock 1980), this may be the same sighting reported in Jones 1964
PERKINS	Historical range (Jones 1964) 2 visuals and 1 mortality between 1982 and 1985 (Nebraska Game & Parks Commission records) Small disjunct population (R. Lock, Nebraska Game & Parks, pers. comm. in USFWS 1995) Searched for tracks by C.C. Roy in 1999 - tracks found
RED WILLOW	Historical range (Jones 1964) Confirmed sighting somewhere between 1972 and 1980 (Lock 1980) 2 mortalities in 1980 and 1986 (Nebraska Game & Parks Commission records)
SARPY	Specimen collected at Wilber, "formerly in HAM" (Hastings Museum, Cary MS [ca. 1905] in Jones 1964). Questionable record (Bob Timm, Curator of Mammals at the University of Kansas Museum, pers. comm.)
SAUNDERS	Western parts included in historical range (Jones 1964)
SCOTTS BLUFF	Visual in 1992 (Nebraska Game & Parks Commission records)
SHERIDAN	Historical range (Jones 1964) Observed from air (C. Brewer, FWS Biologist) near Gordon in June 1972 (McDaniel 1976, Nebraska Game & Parks Commission records) R. Craig, Nebraska Game & Parks, observed a swift fox near Gordon in June 1972, 3 days after above aerial sighting (McDaniel 1976) 1 visual (1988) and 1 mortality (1979; Nebraska Game & Parks Commission records)
SIoux	Historical range (Jones 1964) Reported from Hat Creek Basin and Pine Ridge (Cary 1902) Tracks seen in northern Sioux in 1900-01 (Cary MS [ca. 1905] in Jones 1964) Recorded for Pine Ridge by Swenk MS (in Jones 1964) Confirmed sighting somewhere between 1972 and 1980 (Lock 1980) Road kill north of Scottsbluff, Dec. 1974 (McDaniel 1976) 20 visuals and 10 mortalities between 1974 and 1997 (Nebraska Game & Parks Commission records) Population confirmed (trapped) in swift fox ecology study 1978-1980 (Lock 1980, Hites and Case 1991) No observations during formal Oglala National Grassland surveys in 1991, 1992, 1996, and 1997, but other sightings on and off National Grassland property were reported (5 in 1991, 4 in 1992). No surveys conducted in 1995 & 1998 (Unpublished report of the Oglala National Grassland 1991, Peterson and Abegglen 1992, SFCT 1993-1998) Small disjunct population (R. Lock, Nebraska Game & Parks, pers. comm. in USFWS 1995) Active natal den found in 1995 (Andelt 1995) 6 animals captured in 1996 for blood/genetics study (Andelt 1996) Presence reported in western portion of county during 1997 systematic survey (Andelt 1997) Western parts included in historical range (Jones 1964)
WAYNE	Western parts included in historical range (Jones 1964)
REGIONAL	Formerly common in the western 2/3 of the state, eastward certainly to Madison and Saline counties (Jones 1964) May have been extirpated by early 1900s (Jones 1964), no records from 1900-01 (Cary MS [ca. 1905] in Jones 1964) to 1953-54 (Jones 1964) Swenk wrote in 1908 that swifts were "fairly common on plains of west and Central Nebraska when first settled, but steadily less so year by year" (in Jones 1964)

Records of swift fox (*Vulpes velox*) distribution in Nebraska  
(compiled by Northern Prairie Wildlife Research Center and Kansas Department of Wildlife and Parks, September 2000)

County	Distribution Records
ANTELOPE	Historical range (Jones 1964) Records in north part of county (Cary MS [hand written report ca. 1905] in Jones 1964)
BOX BUTTE	Historical range (Jones 1964) Confirmed sighting somewhere between 1972 and 1980 (Lock 1980) In July 1974, R. Lock photographed a swift fox near Hemmingford (McDaniel 1976) 6 visuals from 1974 to 1989 (Nebraska Game & Park Commission records) Swift fox trapped in 1981 at Snake Creek Ranch (Nebraska Game & Park Commission records) Small disjunct population (R. Lock, Nebraska Game & Parks Commission, pers. comm. in USFWS 1995) Unconfirmed but "probable" report in 1998, confirmed in county previously (Andelt 1998)
CHASE	Searched for tracks by C. C. Roy in 1999 - No observations
CHERRY	Historical range (Jones 1964) Records from Valentine (Cary MS [ca. 1905] in Jones 1964)
DAWES	Historical range (Jones 1964) Reported from Hat Creek Basin (Cary 1902) Reported as "fairly numerous" in the Pine Ridge area (Swenk 1908:121 in Jones 1964) Confirmed sighting somewhere between 1972 and 1980 (Lock 1980) Female killed near Whitney and photographed in May 1973, later obs. Indicated that young were reared by male (McDaniel 1976) Foxes heard (5 mi south of South Dakota line) and seen (2 mi south of South Dakota line) in Sept. 1976 (Unpublished report USFWS; same as Lock 19807) 5 mortalities and 5 visuals between 1973 and 1994 (Nebraska game & Parks Commission records) No observations from Oglala National Grassland surveys 1991-94, '96 & '97, no surveys conducted in 1995 & 1996 (Unpublished reports of the Oglala National Grassland 1991, 1993-1997, Peterson and Abegglen 1992) Sighting on Hwy 7, 11.5 mi north of Crawford (Unpublished report of the Oglala National Grassland 1991) Small disjunct population (R. Lock, Nebraska Game & Parks, pers. comm. in USFWS 1995)
DUNDY	Historical range (Jones 1964) Specimen collected in eastern part, along Republican Fork in 1856 (USNMNH records in Jones 1964) Searched for tracks by C. C. Roy in 1999 - No observations
GARDEN	Visual in 1996 (Nebraska Game & Parks Commission records)
KEARNEY	Historical range (Jones 1964) 4 specimens examined from Ft. Kearney in 1853 (Jones 1964, dates from USNM records)
KEITH	Historical range (Jones 1964) Road kill in 1996 (Nebraska Game & Parks Commission records)
KIMBALL	Historical range (Jones 1964) Confirmed sighting somewhere between 1972 and 1980 (Lock 1980) 2 visuals and 5 mortalities between 1974 and 1982 (Nebraska Game & Parks Commission records) G. Lambert (USFWS) observed road kill near town of Kimball, and a pair (3 times) near Bushnell both in 1976 (McDaniel 1976) Small disjunct population (R. Lock, Nebraska Game & Parks, pers. comm. in USFWS 1995) Road kill and sightings in 1997 at active den reported (Andelt 1997)
LINCOLN	Swift fox trapped and released in 1984 (Nebraska Game & Parks Commission records)

TOOLE	Tracks, scat, or other sign located in 1999 during Species Distribution Survey (Montana Fish, Wildlife & Parks Database)
TREASURE VALLEY	Allen (1874) noted as frequent along plains of Yellowstone and Musselshell Rivers in 1873 (Knowles et al. in press) Coates (1878) reported as common between the Milk River and the Canadian border, includes this county? (Knowles et al. in press) Observed between 1985 -1997 (Giddings and Zimmerman 1996) Reported in Canadian dispersal data 1987-1991 (Brechtel et al. 1993) Sighting (radiocollared) in 1992 (Henckel 1992 in Giddings and Knowles 1995 and Knowles et al. in press) Tracks sighted in 1996 (B. Giddings FW&P Biologist, pers. comm. in Knowles et al. in press) Presence confirmed in graduate study 1996-1997 ([trapped] Zimmerman and Giddings 1997 and Knowles et al. in press) Specimen collected in 1997 B. Giddings pers. comm. in Knowles et al. in press) Tracks, scat, or other sign located in 1999 during Species Distribution Survey (Montana Fish, Wildlife & Parks Database)
WHEATLAND	Allen (1874) noted as frequent along plains of Yellowstone and Musselshell Rivers in 1873 (Knowles et al. in press)
WIBAUX	Observed between 1978-1985 (Giddings and Zimmerman 1996)
YELLOWSTONE	Allen (1874) noted as frequent along plains of Yellowstone and Musselshell Rivers in 1873 (Knowles et al. in press)
REGIONAL	Two recorded sightings near Fort Union, at the confluence of the Yellowstone and Missouri Rivers in 1843 (Audubon and Bachman 1854 and McDermont 1951 in Knowles et al. in press). Listed above in possible counties. Reported common in 1874 between the Milk River and the Canadian border (Coates 1878 in Knowles et al. in press) Listed above in possible counties. USNM specimens listed as "Milk River, Two Forks" In 1873, they were "Quite Frequent" on expedition from Fort Rice (on the Missouri near the geographic center of ND) due west to the Yellowstone River, and along the Musselshell River (Allen 1874, also cited in Knowles et al. in press) Common on the plains of central Montana in 1875 (Grinnell 1876 in Knowles et al. in press) Probably extinct in Montana by 1969 (no furs traded for 16 year period; Hoffman, Wright, and Newby 1969) Present in Northern Montana (Summary report, Brechtel et al. 1993) Potential range based on distribution of short, mixed-grass, and bunchgrass habitats exists in Beaverhead, Big Horn, Blaine, Broadwater, Carbon, Carter, Cascade, Chouteau, Custer, Daniels, Dawson, Fallon, Fergus, Gallatin, Garfield, Glacier, Golden Valley, Granite, Hill, Jefferson, Judith Basin, Lake, Lewis and Clark, Liberty, Madison, McCone, Meagher, Missoula, Musselshell, Park, Petroleum, Phillips, Powder, Powder River, Powell, Prairie, Richland, Roosevelt, Rosebud, Sheridan, Silver Bow, Stillwater, Sweet Grass, Teton, Toole, Treasure, Valley, Wheatland, Wibaux, and Yellowstone counties (Risser et al. 1981)

No records from 1918 - 1978



	Observed between 1978-1985 (Giddings and Zimmerman 1996) Observed between 1985 -1997 (Giddings and Zimmerman 1996; Sighting (radiocollared) in 1989 (S. Gniadek, NPS Biologist, pers. comm. in Giddings and Knowles 1995 and Knowles et al. in press) Reintroduction efforts began on the Blackfeet Indian Reservation reported in 1998 (Giddings 1998) Tracks, scat, or other sign located in 1999 during Species Distribution Survey (Montana Fish, Wildlife & Parks Database)
GOLDEN VALLEY	Allen (1874) noted as frequent along plains of Yellowstone and Musselshell Rivers in 1873 (Knowles et al. in press)
HILL	Cones (1878) reported as common between the Milk River and the Canadian border, includes this county? (Knowles et al. in press) Observed between 1985 -1997 (Giddings and Zimmerman 1996, Knowles et al. in press) Trapped in 1985-6 (Carbyn and Killaby 1989 in Giddings and Knowles 1995 and Knowles et al. in press) Reported in Canadian dispersal data 1987-1991 (Brechtel et al. 1993) Road kill in 1998 on Hwy 232 mile marker 20, northwest of Havre (Montana Fish, Wildlife & Parks Database) Tracks, scat, or other sign located in 1999 during Species Distribution Survey (Montana Fish, Wildlife & Parks Database)
MCCONE	Observed between 1978-1985 (Giddings and Zimmerman 1996) Trapped in 1982 north of Circle (Giddings and Knowles 1995, Knowles et al. in press)
MUSSELSHELL	Allen (1874) noted as frequent along plains of Yellowstone and Musselshell Rivers in 1873 (Knowles et al. in press)
PARK	Observed between 1985 -1997 (Giddings and Zimmerman 1996) Sighting in 1992 (D. Quimby, retired MSU Mammalogist, pers. comm. in Giddings and Knowles 1995 and Knowles et al. in press)
PHILLIPS	Cones (1878) reported as common between the Milk River and the Canadian border, includes this county? (Knowles et al. in press) Observed between 1985 -1997 (Giddings and Zimmerman 1996) Road kill in 1992 (A. Dood, Montana Fish, Wildlife & Parks Biologist, pers. comm. in Giddings and Knowles 1995 and Knowles et al. in press) Road kill in 1993 north of Charles M. Russell NWR on HWY 191 (F. Klein, U.S. FWS volunteer, pers. comm. in Knowles et al. in press) Road kill in 1995 (B. Giddings, Montana Fish, Wildlife & Parks Biologist, pers. comm. in Giddings and Knowles 1995 and Knowles et al. in press) Several sightings in 1996 (J. Grensten, BLM Biologist, B. Giddings, FW&P Biologist [radiocollared] per. comm., Knowles et al. in press) Specimen collected in 1996 (B. Giddings, FW&P Biologist, per. comm. in Knowles et al. in press) Presence confirmed in graduate study 1996-1997 ([trapped] Zimmerman and Giddings 1997 and Knowles et al. in press) Tracks, scat, or other sign located in 1999 during Species Distribution Survey (Montana Fish, Wildlife & Parks Database)
PONDERA	1894 Specimen from Robare (USNM in Long and Long 1964) Observed between 1978-1985 (Giddings and Zimmerman 1996)
POWDER RIVER	Observed between 1978-1985 (Giddings and Zimmerman 1996) Trapped in 1984 north of Broadus (Henckel 1984 in Giddings and Knowles 1995 and Knowles et al. in press)
PRAIRIE	Observed between 1985 -1997 (Giddings and Zimmerman 1996) Den sighting in 1992 (B. Heidel, Natural Heritage Program Botanist, pers. comm. in Giddings and Knowles 1995 and Knowles et al. in press) Sightings in 1994 (S. Fleuter, pers. comm. in Giddings and Knowles 1995 and Knowles et al. in press)
RICHLAND	Sighted near Fort Union in 1843 by Audubon and Bachman (1854; in Knowles et al. in press)
ROSEBUD	Observed between 1978-1985 (Giddings and Zimmerman 1996) Allen (1874) noted as frequent along plains of Yellowstone and Musselshell Rivers in 1873 (Knowles et al. in press) Observed between 1985 -1997 (Giddings and Zimmerman 1996)
STILLWATER	Allen (1874) noted as frequent along plains of Yellowstone and Musselshell Rivers in 1873 (Knowles et al. in press)
SWEET GRASS	Allen (1874) noted as frequent along plains of Yellowstone and Musselshell Rivers in 1873 (Knowles et al. in press)
TETON	Specimen collected in 1894 from Robare, which is now Pondera County (USNM record in Long and Long 1964) Specimens collected in 1905 from "Upper Teton County", Kipp & Blackfoot, which are now in Glacier County (USNM in Long & Long 1964)

Records of swift fox (*Vulpes velox*) distribution in Montana  
(compiled by Northern Prairie Wildlife Research Center and Kansas Department of Wildlife and Parks, September 2000)

County	Distribution Records
BIG HORN	Reported to occur around Fort Custer near present day Hardin (McChesney 1879 in Knowles et al. in press) Unconfirmed sighting in early 1980s near Hardin (Knowles and Dood 1993) Observed between 1978-1985 (Giddings and Zimmerman 1996)
BLAINE	Coues (1878) reported as common between the Milk River and the Canadian border, includes this county? (Knowles et al. in press) Observed between 1985-1997 (Giddings and Zimmerman 1996) Visual and trapped in 1985-6 (Carbyn and Killby 1989 in Giddings and Knowles 1995 and Knowles et al. in press) Sighting in 1992 (M. Fox, Fort Belknap Fish and Wildlife, pers. comm. in Giddings and Knowles 1995 and Knowles et al. in press) Sighting in 1993 (M. Fox, Fort Belknap Fish and Wildlife, pers. comm. in Giddings and Knowles 1995 and Knowles et al. in press) Multiple sightings in 1994 (K. Jones and A. Healy (Fr. Belk Nat. Res. Dept. and M. Fox, Fort Belknap Fish and Wildlife, pers. comm., Reported in Canadian dispersal data 1987-1991 (Brechtel et al. 1993 Montana Fish Wildlife & Parks Database) in Giddings and Knowles 1995 and Knowles et al. in press) 3 trapped in 1994 (J. Peters, pers. comm. in Giddings and Knowles 1995, and Knowles et al. in press) 2 shot at den (A. Zimmerman, pers. comm. in Giddings and Knowles 1995 and Knowles et al. in press) Sighting in 1995 (F. Bigby, Fort Belknap Lands Dept., pers. comm. in Giddings and Knowles 1995 and Knowles et al. in press) Population confirmed in graduate study 1996-1997 ([trapped] Zimmerman and Giddings 1997 and Knowles et al. in press) Visual in 1998 north of Zurich (Montana Fish, Wildlife & Parks Database) Visual in 1998 north of Zurich (Montana Fish, Wildlife & Parks Database) Tracks, scat, or other sign located in 1999 during Species Distribution Survey (Montana Fish, Wildlife & Parks Database)
CARTER	Grimmell found swift fox abundant along the Little Missouri River traveling to the Black Hills in 1874 (Custer 1875 in Knowles et al. in press)
CASCADE	Reported by Lewis and Clark in 1805 by the Great Falls of the Missouri River (Burroughs 1961 in Knowles et al. in press) Observed between 1978-1985 (Giddings and Zimmerman 1996)
CHOUTEAU	Specimen taken near Fort Benton in late 1880s (USNM records in Knowles et al. in press) Observed between 1978-1985 (Giddings and Zimmerman 1996)
CUSTER	Trapped in 1978 (Moore and Martin 1980, Knowles et al. in press) Observed between 1978-1997 (Giddings and Zimmerman 1996)
DANIELS	Radio relocations and confirmed reports by Canadian researchers 1987-1991 (Brechtel et al. 1993 in Montana Fish, Wildlife & Parks Furterer database)
DAWSON	Trapped in 1984 15 mi east of Glendive (Vallard 1985, Giddings and Knowles 1995 and Knowles et al. in press) Observed between 1985-1997 (Giddings and Zimmerman 1996)
GALLATIN	Visual and trapped in 1992 near Richey (Giddings and Knowles 1995, Knowles et al. in press) Sighting in 1993 (A. Harnata, MSU Biologist, pers. comm. in Giddings and Knowles 1995 and Knowles et al. in press)
GARFIELD	Allen (1874) noted as frequent along plains of Yellowstone and Musselshell Rivers in 1873 (Knowles et al. in press) Specimen shot 10 mi east of Brusett and mounted (Montana Fish, Wildlife & Parks Database, Giddings and Zimmerman 1996) Trapped in 1995 (B. Giddings, Montana Fish, Wildlife & Parks Biologist, pers. comm. in Giddings and Knowles 1995, Knowles et al. in press) Visual in 1997 at Timber Creek northeast of Cohagen (Montana Fish, Wildlife & Parks Database)
GLACIER	Sighting 1997(D. Bracco, pers. comm. in Knowles et al. in press) Reported by Lewis and Clark in 1806 by Two Medicine Creek on the Marias River (Burroughs 1961 in Knowles et al. in press) 42 specimens collected between 1901-1906 near Blackfoot and Kipp (in vicinity of Browning; USNM records in Long and Long 1964, Knowles et al. in press) Reported common in 1918 on plains along eastern boundary of Glacier NP (Bailey and Bailey 1918 in Knowles et al. in press)

**Records of swift fox (*Vulpes velox*) distribution in Minnesota**  
 (compiled by Northern Prairie Wildlife Research Center and Kansas Department of Wildlife and Parks, September 2000)

County	Distribution Records
REGIONAL	<p>Mapped in SW corner of state as "range ... prior to 1875" (Hawley 1974)</p> <p>Formerly from SW corner of state (Egoscue 1979 in Hazard 1982) - but no specimens!</p> <p>Included in range (Hillman and Sharps (1978) citing Hall and Kelson (1959), was not based on specimen records for all regions</p> <p>Probable that it occasionally ventured into MN, but no definite records (Swanson et al. 1945)</p> <p>Elmer Birney, stated that he and Knox Jones could find no records for swift in MN (pers. comm.)</p>

No sightings (confirmed or unconfirmed). May be included in literature maps based solely on extent of prairie.

	<p>Allen (1940), Hibbard (1944) and Hall (1955) regarded it as rare (all in Zumbauagh and Choate 1985)</p> <p>Bunker (1940:35-36) suggested swifts extinct (cited in Martin and Sternberg 1955)</p> <p>Cockrum (1952) suggested swifts were "extinct in Kansas" (cited in Marting and Sternberg 1955 and Zumbauagh and Choate 1985)</p> <p>Chambers (1978) noted that most of his swift photos for Audubon Magazine article were taken in southwest Kansas</p> <p>142 carcasses were collected along the Colorado/Kansas state border from 1981-83 (Zumbauagh et al. 1985)</p> <p>Specimen collected in 1996, no locality listed (MLFP)</p> <p>KS population is 'stable and expanding' (Bogges and Johnson 1981)</p> <p>Specimens collected from Shkaska and Coronado (USNM records), no date, and these localities unknown</p> <p>Specimens collected from 12 counties, conclude swift reoccupied much of original range (Zumbauagh and Choate 1985)</p> <p>Probably never were extirpated (Zumbauagh and Choate 1985)</p> <p>Potential range based on distribution of short, mixed-grass, and bunchgrass habitats exists in Barber, Barton, Cheyenne, Clark, Clay, Cloud, Comanche, Cowley, Decatur, Dickinson, Edwards, Ellis, Ellsworth, Finney, Ford, Gove, Graham, Grant, Gray, Greeley, Hamilton, Harper, Harvey, Haskell, Hodgeman, Jewell, Kearny, Kingman, Kiowa, Lane, Lincoln, Logan, McPherson, Meade, Mitchell, Morton, Ness, Norton, Osborne, Ottawa, Pawnee, Phillips, Pratt, Rawlins, Reno, Republic, Rice, Rooks, Rush, Russell, Saline, Scott, Sedgwick, Seward, Sheridan, Sherman, Smith, Stafford, Stanton, Stevens, Sumner, Thomas, Trego, Wallace, Washington, and Wichita counties (Risser et al. 1981).</p>
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No records from 1966 - 1982

	<p>Unconfirmed report between 1954 and 1958 (Anderson and Nelson 1958)</p> <p>"Reasonable" sight records between 1950-66 (Janes and Gier 1966)</p> <p>Sighting by "professionally qualified person" 1950-66 (Janes and Gier 1966)</p> <p>Museum specimen collected between 1950-66 (Janes and Gier 1966)</p> <p>Specimen collected in 1965 from 7 m north, 3 mi east of Sharon Springs (MHP records)</p> <p>5 specimens collected in 1969-70 from T. 1S R38W S1 (KU records)</p> <p>Specimen collected in 1970 from 14 mi south and 1/4 mi east of Leoti (KTU records)</p> <p>Specimen collected in 1977 from 9 mi north, 3 mi west of Weskan (MHP records)</p> <p>Specimen collected in 1977 from 5 mi south of Weskan (MHP records)</p> <p>Sightings by Fish &amp; Game personnel (Zumbaugh and Choate 1985)</p> <p>Specimens collected in 1982-84 without specific locality (MHP records in Zumbaugh and Choate 1985)</p> <p>Professional trappers caught 74 swifts foxes between 1982-1983 (Zumbaugh and Choate 1985)</p> <p>Included in current distributor (1982-1994) based on harvest records (Fox and Roy 1995)</p> <p>3 specimens collected in 1984 from north and west of Weskan (MSB records)</p> <p>Several specimens collected in 1985 from north and west of Weskan (MHP records)</p> <p>Several specimens collected in 1995-96 from the vicinity of Wallace (MHP records)</p> <p>Several specimens collected in 1996 from the vicinity of Wallace (KTU records)</p> <p>Several swift fox ecology studies conducted in 1990s (Sovada et al. 1998, Jackson and Choate 2000, Matlack et al. 2000)</p> <p>Reported presence in 1997 and 1998 systematic surveys (Roy et al. 1997, 1998)</p>
WICHITA	<p>Unconfirmed records of historical distribution from 1840 - 1884 (Carter 1939 in Zumbaugh and Choate 1985)</p> <p>Unconfirmed report to 1930 (Carter 1939 in Zumbaugh and Choate 1985)</p> <p>"Reasonable" sight record between 1950-66 (Janes and Gier 1966)</p> <p>Sighting by "professionally qualified person" between 1950-66 (Janes and Gier 1966)</p> <p>Sightings by Fish &amp; Game personnel (Zumbaugh and Choate 1985)</p> <p>14 mi south, 1/4 mi east of Leoti, Kansas (Zumbaugh and Choate 1985)</p> <p>Included in current distribution, 1982-1994, based on harvest records (Fox and Roy 1995)</p> <p>Capture in 1996 (M. Sovada, USGS, Northern Prairie Wildlife Research Center, pers. comm.)</p> <p>Present in 1996 summer roadside survey (Roy 1996)</p> <p>Reported presence in 1997 and 1998 systematic surveys (Roy et al. 1997, 1998)</p>
REGIONAL	<p>Abundant in western Kansas when European settlers arrived (Zumbaugh and Choate 1985)</p> <p>Present in large numbers in his pioneer days (Wright 1913 in Zumbaugh and Choate 1985)</p> <p>Blanchard (1931) states presence of swifts in the settlement era of southwestern Kansas (in Zumbaugh and Choate 1985)</p> <p>Occupied 36 counties at time of settlement (Carter 1939 in Fox and Roy 1995)</p> <p>Mead (1899) reports swift fox on plains of western Kansas in 1859 (also in Cairre et al. 1989, Martin and Sternberg 1955)</p> <p>Cater (1939) reports swift uncommon by 1869 (Zumbaugh and Choate 1985)</p> <p>Allen (1874) stated they were still more or less abundant in western Kansas (in Zumbaugh and Choate 1985)</p> <p>Knox (1875) regarded swifts as "rare" (Zumbaugh and Choate 1985)</p> <p>Baker (1889) reported swifts numerous in Kansas until 1883, rarely seen thereafter (in Kilgore 1969)</p> <p>Lantz (1905) reported once abundant swift becoming less abundant in Kansas (in Zumbaugh and Choate 1985)</p> <p>Kellog (1915) thought swifts still in Kansas (in Zumbaugh and Choate 1985)</p> <p>Black (1937) believed nearly extinct in western Kansas (in Zumbaugh and Choate 1985)</p>

STAFFORD	<p>Undocumented records of historical distribution from 1840 - 1884 (Carter 1939 in Zumbaugh and Choate 1985)</p> <p>Specimen taken in mink trap 4 mi north of St. John on Dec. 1955 (KU record in Anderson and Nelson 1958)</p> <p>"Reasonable" sight records (Janes and Gier 1966)</p>
STANTON	<p>Undocumented records of historical distribution from 1840 - 1884 (Carter 1939 in Zumbaugh and Choate 1985)</p> <p>Unconfirmed report to 1930 (Carter 1939 in Zumbaugh and Choate 1985)</p> <p>"Reasonable" sight record between 1950-66 (Janes and Gier 1966)</p> <p>Sightings by Fish &amp; Game personnel (Zumbaugh and Choate 1985)</p> <p>Professional trappers caught 2 swifts between 1982-1983 (Zumbaugh and Choate 1985)</p> <p>Included in current distribution, 1982-1994, based on harvest records (Fox and Roy 1995)</p> <p>Reported presence in 1995 survey method study (Fox and Roy 1995)</p> <p>Specimens collected in 1982 without specific locality (MHP records)</p> <p>Reported presence in 1997 systematic survey (Roy et al. 1997)</p> <p>None found in 1998 systematic surveys (Roy et al. 1998)</p>
STEVENS	<p>Undocumented records of historical distribution from 1840 - 1884 (Carter 1939 in Zumbaugh and Choate 1985)</p> <p>Sightings by Fish &amp; Game personnel (Zumbaugh and Choate 1985)</p> <p>Included in current distribution, 1982-1994, based on harvest records (Fox and Roy 1995)</p> <p>Present in 1996 summer roadside survey (Roy 1996)</p> <p>Road kill reported in 1997 (Roy et al. 1998)</p> <p>Error, track recorded in Roy et al. (1997) but not Roy et al. (1998) for 1997. None found in 1997 survey</p> <p>Reported presence in 1998 systematic survey (Roy et al. 1998)</p>
THOMAS	<p>Undocumented records of historical distribution from 1840 - 1884 (Carter 1939 in Zumbaugh and Choate 1985)</p> <p>Specimen examined or photographed between 1950-66 (Janes and Gier 1966)</p> <p>Sighting by "professionally qualified person" between 1950-66 (Janes and Gier 1966)</p> <p>2 "reasonable" sightings between 1950-66 (Janes and Gier 1966)</p> <p>Sightings by Fish &amp; Game personnel (Zumbaugh and Choate 1985)</p> <p>Professional trappers caught 2 swift foxes between 1982-1983 (Zumbaugh and Choate 1985)</p> <p>Specimen collected in 1982 without specific locality (MHP records)</p> <p>Included in current distribution (1982-1994) based on harvest records (Fox and Roy 1995)</p> <p>Specimen collected in 1996 from 7 mi east of junction of County Rd G and County Rd 3 (KU records)</p> <p>Swift foxes captured in 1996 (M. Sovade, USGS, Northern Prairie Wildlife Research Center, pers. comm.)</p> <p>Reported presence in 1997 and 1998 systematic surveys (Roy et al. 1997, 1998)</p>
TREGO	<p>Undocumented records of historical distribution from 1840 - 1884 (Carter 1939 in Zumbaugh and Choate 1985)</p> <p>Sightings by Fish &amp; Game personnel (Zumbaugh and Choate 1985)</p> <p>Museum specimen specified only to county (Zumbaugh and Choate 1985, USNM records)</p> <p>Specimen caught in Coyote Canyon (MCZ records in Zumbaugh and Choate 1985)</p> <p>Specimen collected in 1982 without specific locality (MHP records)</p> <p>Professional trappers caught 1 swift fox between 1982-1983 (Zumbaugh and Choate 1985)</p> <p>Not searched in 1997 (Roy et al. 1997)</p> <p>Included in current distribution (1982-1994) based on harvest records (Fox and Roy 1995)</p> <p>Reported presence in 1998 systematic survey (Roy et al. 1998)</p>
WALLACE	<p>Undocumented records of historical distribution from 1840 - 1884 (Carter 1939 in Zumbaugh and Choate 1985)</p> <p>Unconfirmed report to 1930 (Carter 1939 in Zumbaugh and Choate 1985)</p>

RAWLINS	Undocumented records of historical distribution from 1840 - 1884 (Carter 1939 in Zumbaugh and Choate 1985) "Reasonable" sight records between 1950-66 (Janes and Gier 1966) Sightings by Fish & Game personnel (Zumbaugh and Choate 1985) Present in 1996 summer roadside survey (Roy 1996)
RENO	Reported presence in 1997 and 1998 systematic surveys (Roy et al. 1997, 1998)
RUSH	Undocumented records of historical distribution from 1840 - 1884 (Carter 1939 in Zumbaugh and Choate 1985)
	Undocumented records of historical distribution from 1840 - 1884 (Carter 1939 in Zumbaugh and Choate 1985)
	Poisoned in winter of 1861-62 in the valley of Walnut Creek (Grimel, G.B. 1914:286 - in Young 1944:332)
RUSSELL	"Reasonable" sight records between 1950-66 (Janes and Gier 1966)
	Undocumented records of historical distribution from 1840 - 1884 (Carter 1939 in Zumbaugh and Choate 1985)
SCOTT	Undocumented records of historical distribution from 1840 - 1884 (Carter 1939 in Zumbaugh and Choate 1985) Sightings by Fish & Game personnel (Zumbaugh and Choate 1985) Included in current distribution, 1982-1994, based on harvest records (Fox and Roy 1995) Present in 1996 summer roadside survey (Roy 1996) Reported presence in 1997 and 1998 systematic surveys (Roy et al. 1997, 1998)
SEWARD	Undocumented records of historical distribution from 1840 - 1884 (Carter 1939 in Zumbaugh and Choate 1985) Unconfirmed report between 1954 and 1958 (Anderson and Nelson 1958) "Reasonable" sight records between 1950-66 (Janes and Gier 1966) Specimen examined or photographed (Janes and Gier 1966) Professional trappers caught 1 swift between 1982-1983 (Zumbaugh and Choate 1985) Sightings by Fish & Game personnel (Zumbaugh and Choate 1985) Present in 1996 summer roadside survey (Roy 1996) None found in 1997 or 1998 systematic surveys (Roy et al. 1997, 1998)
SHERIDAN	Undocumented records of historical distribution from 1840 - 1884 (Carter 1939 in Zumbaugh and Choate 1985) "Reasonable" sight records between 1950-66 (Janes and Gier 1966) Sightings by Fish & Game personnel (Zumbaugh and Choate 1985) Included in current distribution, 1982-1994, based on harvest records (Fox and Roy 1995) Tracks reported for 1997 in Roy et al. (1997) ERROR? Not listed as tracks from 1997 (Roy et al. 1998)
	Reported presence in 1998 systematic survey (Roy et al. 1998)
SHERMAN	Undocumented records of historical distribution from 1840 - 1884 (Carter 1939 in Zumbaugh and Choate 1985) 2 "reasonable" sightings between 1950-66 (Janes and Gier 1965) 2 specimens examined or photographed between 1950-66 (Janes and Gier 1966) Sighting by "professionally qualified person" between 1950-66 (Janes and Gier 1966) Sightings by Fish & Game personnel (Zumbaugh and Choate 1985) Included in current distribution, 1982-1994, based on harvest records (Fox and Roy 1995) Specimen collected in 1978 from 12 mi. N. of Goodland (MHP records, Zumbaugh and Choate 1985) Specimen collected in 1995 from 12 mi. S., 9.5 mi. E. of Goodland (MHP records) Specimen collected in 1996 from "Corner of 24-57" (MHP records) Several specimens collected in 1996 from vicinity of Edson (KU records) Swift fox ecology study conducted in 1996 (Sovada et al. 1998) Reported presence in 1997 and 1998 systematic surveys (Roy et al. 1997, 1998)
SMITH	"Reasonable" sight records between 1950-66 (Janes and Gier 1966)

	Present in 1996 summer roadside survey (Roy 1996) Reported presence in 1997 systematic surveys (Roy et al. 1997). Not searched in 1998 (Roy et al. 1998) Specimen collected in 1999 5 mi. S. of Monument (MFP records)
MEADE	Undocumented records of historical distribution from 1840 - 1884 (Carter 1939 in Zumbaugh and Choate 1985) Unconfirmed report to 1930 (Carter 1939 in Zumbaugh and Choate 1985) Flushed in Meade County State Park, Meade County (~13 miles southwest of Meade, Kansas) 1936-38 (Tihen and Sprague 1939) 1 killed on Big Springs Ranch, ~13 mi southwest of Meade (Tihen and Sprague 1939) - listed as north of Beaver County, Oklahoma in Carre et al. 1989 Unconfirmed report between 1954 and 1958 (Anderson and Nelson 1958) "Reasonable" sight records between 1950-66 (Janes and Gier 1966, same event as above?) Sighting by "professionally qualified person" between 1950-66 (Janes and Gier 1966) Sightings by Fish & Game personnel (Zumbaugh and Choate 1985) Included in current distribution (1982-1994) based on harvest records (Fox and Roy 1995) None found in 1997 or 1998 systematic surveys (Roy et al. 1997, 1998)
MORTON	Undocumented records of historical distribution from 1840 - 1884 (Carter 1939 in Zumbaugh and Choate 1985) Skeleton obtained in 1955 from fence posts 8 mi north of Elkhart (KU records, Anderson and Nelson 1958, Janes and Gier 1966) "Reasonable" sight records between 1950-66 (Janes and Gier 1966) Sighting by "professionally qualified person" between 1950-66 (Janes and Gier 1966) Sightings by Fish & Game personnel (Zumbaugh and Choate 1985) Included in current distribution (1982-1994) based on harvest records (Fox and Roy 1995) Reported presence in 1995 survey method study (Fox and Roy 1995) No surveys done in Cimarron National Grassland from 1995-97, but reported in 1998 spotlight survey (SFCT 1995, 1996, 1997, Chynoweth et al. 1998) Error, track recorded in Roy et al. (1997) but not Roy et al. (1998) for 1997. None found in 1997 survey Reported presence in 1998 systematic survey (Roy et al. 1998)
NESS	Undocumented records of historical distribution from 1840 - 1884 (Carter 1939 in Zumbaugh and Choate 1985) Specimen collected in 1901 from "Schoharie County" (ANMH records), probably historical town of Schoharie Sightings by Fish & Game personnel (Zumbaugh and Choate 1985) Not searched in 1997 (Roy et al. 1997)
NORTON	Reported presence in 1998 systematic survey (Roy et al. 1998) Undocumented records of historical distribution from 1840 - 1884 (Carter 1939 in Zumbaugh and Choate 1985) "Reasonable" sight records between 1950-66 (Janes and Gier 1966) Reported presence in 1998 systematic survey (Roy et al. 1998) ERROR IN REPORT, NO FOXES DETECTED IN 1998 Two foxes observed during spotlight survey Nov. 1999, west of Lenora (C. Roy pers. comm.)
OSBORNE	"Reasonable" sight records between 1950-66 (Janes and Gier 1966) Sighting by "professionally qualified person" between 1950-66 (Janes and Gier 1966)
OTTAWA	Potential range based on distribution of short and mixed-grass habitat (Risser et al. 1981)
PAWNEE	Undocumented records of historical distribution from 1840 - 1884 (Carter 1939 in Zumbaugh and Choate 1985)
PHILLIPS	Undocumented records of historical distribution from 1840 - 1884 (Carter 1939 in Zumbaugh and Choate 1985) Sightings by Fish & Game personnel (Zumbaugh and Choate 1985) Included in current distribution, 1982-1994, based on harvest records (Fox and Roy 1995)
PRATT	Undocumented records of historical distribution from 1840 - 1884 (Carter 1939 in Zumbaugh and Choate 1985) Potential range based on distribution of short and mixed-grass habitat (Risser et al. 1981) "Reasonable" sight records between 1950-66 (Janes and Gier 1966)



	Present in 1996 summer roadside survey (Roy 1996) Reported presence in 1997 and 1998 systematic surveys (Roy et al. 1997, 1998)
HASKELL	Undocumented records of historical distribution from 1840 - 1884 (Carter 1939 in Zumbaugh and Choate 1985) "Reasonable" sight records between 1950-66 (Janes and Gier 1966) Specimen collected in 1956 (T28S R32 Sections 10-15; KU records) Specimen collected in 1956 from 13 mi north of Sublette (Janes and Gier 1966, same as Zumbaugh and Choate 1985?) May also be same specimen as KU record from 1956. Sightings by Fish & Game personnel (Zumbaugh and Choate 1985) Included in current distribution (1982-1994) based on harvest records (Fox and Roy 1995) Roadkill reported in 1997 (Roy et al. 1997, Roy et al. 1998) Error: track recorded in Roy et al. (1997) None were found. Roy et al. (1998) results for 1997 is correct. Reported presence in 1998 systematic survey (Roy et al. 1998)
HODGEMAN	Undocumented records of historical distribution from 1840 - 1884 (Carter 1939 in Zumbaugh and Choate 1985) Sightings by Fish & Game personnel (Zumbaugh and Choate 1985) Not searched in 1997 (Roy et al. 1997) Reported presence in 1998 systematic survey (Roy et al. 1998)
KEARNY	Undocumented records of historical distribution from 1840 - 1884 (Carter 1939 in Zumbaugh and Choate 1985) Unconfirmed report to 1930 (Carter 1939 in Zumbaugh and Choate 1985) Sightings by Fish & Game personnel (Zumbaugh and Choate 1985) 3 specimens collected between 1950-66 (Janes and Gier 1966, same as Zumbaugh and Choate 1985?) Specimens collected in 1982 with no specific locality (MHP records) Professional trappers caught 12 swifts between 1982-1983 (Zumbaugh and Choate 1985) Included in current distribution, 1982-1994, based on harvest records (Fox and Roy 1995) Specimen collected in 1986 from 10 mi north, 2.5 mi west of Lakin (KU records) Present in 1996 summer roadside survey (Roy 1996) Reported presence in 1997 systematic survey (Roy et al. 1997) Specimens collected N. of Lakin, no documented date (MHP records) Searched in 1998 but no tracks found (Roy et al. 1998)
LANE	Undocumented records of historical distribution from 1840 - 1884 (Carter 1939 in Zumbaugh and Choate 1985) Specimen examined or photographed between 1950-66 (Janes and Gier 1966) Reported presence in 1997 and 1998 systematic surveys (Roy et al. 1997, 1998)
LOGAN	Undocumented records of historical distribution from 1840 - 1884 (Carter 1939 in Zumbaugh and Choate 1985) Hall et al. (1955) examined one specimen from Logan CO.: "monument" "Reasonable" sight records between 1950-66 (Janes and Gier 1966) Sightings by Fish & Game personnel (Zumbaugh and Choate 1985) Specimen with no collection date specified only to county (KU records) may be same record as museum specimen specified only to county (Zumbaugh and Choate 1985) Professional trappers caught 16 swifts between 1982-1983 (Zumbaugh and Choate 1985) Included in current distribution, 1982-1994, based on harvest records (Fox and Roy 1995) Specimens collected in 1983 with no specific locality (MHP records) Specimen collected in 1993 from 5 mi. W. of Russell Springs (MHP records) Specimens collected in 1996 from 3 3/4 mi. N., 8 1/4 mi. W. of Winona (MHP records)

	<p>Specimens collected in 1982 with no specific locality (MHP records)</p> <p>Professional trappers caught 7 swift foxes between 1982-1983 (Zumbaugh and Choate 1985)</p> <p>Included in current distribution (1982-1994) based on harvest records (Fox and Roy 1995)</p> <p>Present in 1996 summer roadside survey (Roy 1996)</p>
GRAHAM	<p>Reported presence in 1997 and 1998 systematic surveys (Roy et al. 1997, 1998)</p> <p>Undocumented records of historical distribution from 1840 - 1884 (Carter 1939 in Zumbaugh and Choate 1985)</p> <p>Museum specimen collected between 1950-66, (Janes and Gier 1966)</p> <p>Museum specimen collected in 1977 from 5 mi. S and 4 mi. E. of Hill City (MHP records, Zumbaugh and Choate 1985)</p> <p>Not searched in 1997 (Roy et al. 1997)</p>
GRANT	<p>Reported presence in 1998 systematic survey (Roy et al. 1998)</p> <p>Undocumented records of historical distribution from 1840 - 1884 (Carter 1939 in Zumbaugh and Choate 1985)</p> <p>Sightings by Fish &amp; Game personnel (Zumbaugh and Choate 1985)</p> <p>Specimen collected July/August 1962 from west end of Ulysses (Andersen and Fleharty 1964)</p> <p>Specimen collected in 1963 near Ulysses (MHP records)</p> <p>Professional trappers caught 4 swifts between 1982-1983 (Zumbaugh and Choate 1985)</p> <p>Included in current distribution (1982-1994) based on harvest records (Fox and Roy 1995)</p> <p>Reported presence in 1997 systematic survey (Roy et al. 1997)</p> <p>None found in 1998 systematic surveys (Roy et al. 1998)</p>
GRAY	<p>Undocumented records of historical distribution from 1840 - 1884 (Carter 1939 in Zumbaugh and Choate 1985)</p> <p>"Reasonable" sight records between 1950-66 (Janes and Gier 1966)</p> <p>Sighting by "professionally qualified person" between 1950-66 (Janes and Gier 1966)</p> <p>Sightings by Fish &amp; Game personnel (Zumbaugh and Choate 1985)</p> <p>Included in current distribution (1982-1994) based on harvest records (Fox and Roy 1995)</p> <p>Specimen collected in 1996 from Hwy 50, 1 mi east of Charleston (KU records)</p> <p>Reported presence in 1997 systematic survey (Roy et al. 1997)</p> <p>None found in 1998 systematic surveys (Roy et al. 1998)</p>
GREELEY	<p>Undocumented records of historical distribution from 1840 - 1884 (Carter 1939 in Zumbaugh and Choate 1985)</p> <p>Sightings by Fish &amp; Game personnel (Zumbaugh and Choate 1985)</p> <p>Specimens collected in 1982-83 with no specific locality (MHP records)</p> <p>Professional trappers caught 6 swift foxes between 1982-1983 (Zumbaugh and Choate 1985)</p> <p>Included in current distribution (1982-1994) based on harvest records (Fox and Roy 1995)</p> <p>Present in 1996 summer roadside survey (Roy 1996)</p> <p>Reported presence in 1997 and 1998 systematic surveys (Roy et al. 1997, 1998)</p>
HAMILTON	<p>Undocumented records of historical distribution from 1840 - 1884 (Carter 1939 in Zumbaugh and Choate 1985)</p> <p>Sightings by Fish &amp; Game personnel (Zumbaugh and Choate 1985)</p> <p>Specimen collected between 1950-66 (Janes and Gier 1966, possibly same as Zumbaugh and Choate 1985)</p> <p>Specimens collected in 1982 with no specific locality (MHP records)</p> <p>Professional trappers caught 34 swift foxes between 1982-1983 (Zumbaugh and Choate 1985)</p> <p>Specimen collected in 1986 3 mi. N., 8 mi. W. of Syracuse (MHP records)</p> <p>Reported presence in 1995 survey method study (Fox and Roy 1995)</p> <p>Visual from airplane NE of Syracuse (Lloyd Fox pers comm., letter 1 Aug 1996)</p>

Records of swift fox (*Vulpes velox*) distribution in Kansas  
(compiled by Northern Prairie Wildlife Research Center and Kansas Department of Wildlife and Parks, September 2000)

County	Distribution Records
BARBER	Undocumented records of historical distribution from 1840 - 1884 (Carter 1939 in Zumbaugh and Choate 1985)
BARTON	Undocumented records of historical distribution from 1840 - 1884 (Carter 1939 in Zumbaugh and Choate 1985)
CHEYENNE	Undocumented records of historical distribution from 1840 - 1884 (Carter 1939 in Zumbaugh and Choate 1985)
	Unspecified location (Black 1937)
	Specimen collected in 1950-1966 specified only to county (KSU records in James and Grier (1966) and Zumbaugh and Choate (1985) could not be found by Zumbaugh and Choate in 1984 (Zumbaugh and Choate 1985)
	Sightings by Fish & Game personnel (Zumbaugh and Choate 1985)
	County not searched in 1997 due to weather (Roy et al. 1997)
	Reported presence in 1998 systematic survey (Roy et al. 1998)
CLARK	Undocumented records of historical distribution from 1840 - 1884 (Carter 1939 in Zumbaugh and Choate 1985)
COMANCHE	Undocumented records of historical distribution from 1840 - 1884 (Carter 1939 in Zumbaugh and Choate 1985)
DECATUR	Undocumented records of historical distribution from 1840 - 1884 (Carter 1939 in Zumbaugh and Choate 1985)
	Sightings by Fish & Game personnel (Zumbaugh and Choate 1985)
	No tracks found in 1997 survey (Roy et al. 1997)
	Reported presence in 1998 systematic survey (Roy et al. 1998)
DOUGLAS	Specimen taken from Lawrence in 12/8/1909 "must have been a captive animal" (KTU records in Cockrum 1952)
ELLIS	Specimen collected in 1991 from 3 1/4 mi. S, 1 1/2 mi. E. of Hays (MHP records, Choate and Harms 1992)
FINNEY	Undocumented records of historical distribution from 1840 - 1884 (Carter 1939 in Zumbaugh and Choate 1985)
	Museum specimen collected between 1950-66, near southern border of this county (James and Grier 1966) same record as specimen (KSU records) listed as missing in Zumbaugh and Choate (1985)?
	Specimens collected in 1982 specified only to county (MHP records in Zumbaugh and Choate 1985)
	Sightings by Fish & Game personnel (Zumbaugh and Choate 1985)
	Professional trappers caught 10 swifts between 1982-1983 (Zumbaugh and Choate 1985)
	Included in current distribution, 1982-1994, based on harvest records (Fox and Roy 1995)
	Present in 1996 summer roadside survey (Roy 1996)
	Reported presence in NW area in 1997 systematic survey (Roy et al. 1997)
	Searched in 1998, but no tracks found (Roy et al. 1998)
FORD	Undocumented records of historical distribution from 1840 - 1884 (Carter 1939 in Zumbaugh and Choate 1985)
	"Reasonable" sight records between 1950-66 (James and Grier 1966)
	Sightings by Fish & Game personnel (Zumbaugh and Choate 1985)
	Present in 1996 summer roadside survey (Roy 1996)
	Not searched in 1997 (Roy et al. 1997)
	None found in 1998 systematic surveys (Roy et al. 1998)
GOVE	Undocumented records of historical distribution from 1840 - 1884 (Carter 1939 in Zumbaugh and Choate 1985)
	Unconfirmed report to 1930 (Carter 1939 in Zumbaugh and Choate 1985)
	Specimen taken January 1955, 3.5 mi northeast of Quinter (MHP records in Martin and Sternberg 1955, and Zumbaugh and Choate 1985)
	Specimen examined or photographed between 1950-66 (James and Grier 1966, same animal as specimen taken in 1955 above?)
	Sightings by Fish & Game personnel (Zumbaugh and Choate 1985)

Records of swift fox (*Vulpes velox*) distribution in Iowa  
(compiled by Northern Prairie Wildlife Research Center and Kansas Department of Wildlife and Parks, September 2000)

County                      Distribution Records

CALHOUN	Unconfirmed report of fox described as swift (Dinsmore 1994)
DICKINSON	"Swift" still around Spirit Lake area in 1882 (Dinsmore 1994)
POCAHONTAS	In 1867, 6 small foxes called swifts were turned in for bounty, location of collection not indicated (Dinsmore 1994)
PLYMOUTH	Fossil record (Bowles et al. 1998)
SAC	Unconfirmed, reports from 1857, 1858, & 1862 of trapped red, gray and smaller "prairie" fox, similar to swift. (Dinsmore 1994)
SHELBY	Unconfirmed statement that swift or 'kit' was present here, without mentioning other fox species (Dinsmore 1994)

REGIONAL	Included in 1870 list of mammals of W. Iowa based on unconfirmed description, (Allen 1942 in Hines 1980, Dinsmore 1994)
	Mapped in NW corner of state as "range ... prior to 1875" (Hawley 1974)
	Included in range (Hillman and Sharps (1978) citing Hall and Kelson (1959), was not based on specimen records for all regions
	Elmer Birney, Bell Museum of Natural History, University of Minnesota, (pers. comm.) reported that he and J. Knox Jones could find no records for swift in Iowa

No confirmed or unconfirmed sightings since 1882

YUMA	Historical range (Armstrong 1972) Reported presence in 1998 survey (Seidel 1998)
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REGIONAL	<p>* Specimen taken in 1885 from "Between Maricaphia and Leila", Arizona (AMNH records). Labeled as <i>V. velox</i> but outside historic range</p> <p>Pups taken in 1897 from a den on Pawnee Creek (Seton 1927, 1953 reprint)</p> <p>Specimen collected in 1901 with no locality listed (AMNH records)</p> <p>Bailey (1931) states that swift is "common on plains of southeastern Colorado..." but no specimens reported.</p> <p>Frequently seen and killed in early 1960s in east Colorado by USDA ADC and Colorado Wildlife officers (Janes and Gier 1966)</p> <p>Present in USFWSADC annual predator surveys from 1972-1981 in the southeast portion of the state (Linhart 1972, 1973; Roughton 1974, 1975, 1976, 1977; Roughton and Sweeny 1978; Bean and Roughton 1975, 1980; Bean 1981)</p> <p>142 carcasses were collected along the Colorado-Kansas state border from 1981-83 (Zumbaugh et al. 1985)</p> <p>No formal survey, but reported on Comanche National Grassland in 1996, 1997, 1998 (SWCT 1996, Hellet and Hodorff 1997, SWCT 1998)</p> <p>Potential range based on short, mixed-grass, and bunchgrass habitats exists in Adams, Arapahoe, Baca, Bent, Boulder, Cheyenne, Crowley, Denver, Douglas, El Paso, Elbert, Huerfano, Jefferson, Kiowa, Kit Carson, Larimer, Las Animas, Lincoln, Logan, Morgan, Otero, Phillips, Prowers, Pueblo, Sedgewick, Washington, Weld, and Yuma counties (Risser et al. 1981)</p>
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No records from 1916 - early 1941

	Reported "tolerably common" in 1892 in the vicinity of Sterling (near type locality, Cary 1911) Type specimen, S. Platte River (see Cary 1911) Reported presence in 1998 survey (Seidel 1998)
MORGAN	Historical range (Armstrong 1972) Captured in systematic surveys in 1995 (Fitzgerald, Colorado Division of Wildlife, Wildlife Inventory Report, Progress Report 1995, Kahn and Fitzgerald 1995) Reported presence in 1998 survey (Seidel 1998)
OTERO	Historical range (Armstrong 1972) Specimen from somewhere in county (Armstrong 1972) Reported presence in 1998 survey (Seidel 1998)
PHILLIPS	Historical range (Armstrong 1972) No survey has been conducted since 1995 (Fitzgerald et al. 1997) No survey has been conducted between 1995 - 1999 (R. Kahn, Colorado Division of Wildlife, pers. comm.)
PROWERS	Historical range (Armstrong 1972) Reported common in the southern part of the county (Cary 1911) Specimen collected in 1954 from north of Wiley (CU (now UCM) records in Armstrong 1972) Specimen collected in 1991 from Lamar (DMNS records) Captured in trap plots in 1995 (Fitzgerald, Colorado Division of Wildlife, Wildlife Inventory Report, Progress Report 1995, Kahn and Fitzgerald 1995) Reported presence in 1998 survey (Seidel 1998)
PUEBLO	Historical range (Armstrong 1972) 2 specimens (USNM & SCSC records; Armstrong 1972) Reported presence in 1998 survey (Seidel 1998)
SEDGWICK	Historical range (Armstrong 1972) One block (4.8 x 6.4 km <sup>2</sup> ) surveyed (1997-1998), no foxes captured (R. Kahn, Colorado Division of Wildlife, pers. comm.) Not considered to have suitable habitat remaining to support populations (Fitzgerald et al. 1997)
TELLER	Road killed swift fox collected in 1982 from 4.5 mi west of Last Chance (DMNS records) Road killed swift fox collected in 1990 from 5 km southeast of Anton (DMNS records) Specimen collected in 1995 from 14 km north, 6 km east of Linden (DMNS records) Captured in trap plots in 1995 (Fitzgerald, Colorado Division of Wildlife, Wildlife Inventory Report, Progress Report 1995, Kahn and Fitzgerald 1995) Reported presence in 1998 survey (Seidel 1998)
WASHINGTON	Historical range (Armstrong 1972) Specimen collected in 1910 from 8 mi east of Cornish (WC records in Armstrong 1972, now housed at UCM) Unconfirmed colony near Keda, southwest of Pawnee Buttes, Nebraska (Cary 1911, Armstrong 1972) Specimens trapped in Pawnee National Grassland from 1979-1982 (Cameron 1984) Road killed swift fox collected in 1982 from 1 mi west of Grover (DMNS records) Foxes trapped for Canadian Reintroduction in 1985 (Carbyn 1998) Swift fox ecology study conducted in 1994-1995 (Kahn and Fitzgerald 1995) Captured in systematic surveys in 1995 (Fitzgerald, Colorado Division of Wildlife, Wildlife Inventory Report, Progress Report 1995, Kahn and Fitzgerald 1995) Swift fox ecology study conducted 1995 - Jan. 1997 (Kahn et al. 1996) Swift fox ecology study continued using various traps and infrared cameras (Fitzgerald et al. 1997) Observed in spotlight surveys on Pawnee National Grassland in 1990-91, 1993-94, 1996-98, no surveys conducted in 1995 (Unpublished reports of the Pawnee National Grassland 1994, 1996, 1998, SFCR 1995, Hellet and Hodorff 1997) Reported presence in 1998 survey (Seidel 1998)
WELD	Historical range (Armstrong 1972) Specimen collected in 1910 from 8 mi east of Cornish (WC records in Armstrong 1972, now housed at UCM) Unconfirmed colony near Keda, southwest of Pawnee Buttes, Nebraska (Cary 1911, Armstrong 1972) Specimens trapped in Pawnee National Grassland from 1979-1982 (Cameron 1984) Road killed swift fox collected in 1982 from 1 mi west of Grover (DMNS records) Foxes trapped for Canadian Reintroduction in 1985 (Carbyn 1998) Swift fox ecology study conducted in 1994-1995 (Kahn and Fitzgerald 1995) Captured in systematic surveys in 1995 (Fitzgerald, Colorado Division of Wildlife, Wildlife Inventory Report, Progress Report 1995, Kahn and Fitzgerald 1995) Swift fox ecology study conducted 1995 - Jan. 1997 (Kahn et al. 1996) Swift fox ecology study continued using various traps and infrared cameras (Fitzgerald et al. 1997) Observed in spotlight surveys on Pawnee National Grassland in 1990-91, 1993-94, 1996-98, no surveys conducted in 1995 (Unpublished reports of the Pawnee National Grassland 1994, 1996, 1998, SFCR 1995, Hellet and Hodorff 1997) Reported presence in 1998 survey (Seidel 1998)

EL PASO	Historical range (Armstrong 1972) Specimen collected in 1878 from west of Colorado Springs (AMNH records in Armstrong 1972) Specimen collected in 1933 from somewhere in county (UCM records) 2 specimens from somewhere in county (labeled in Armstrong (1972) as CSU records and FWS [now MIS3] records - however MSB has no records of swift foxes in El Paso County) Specimen collected in 1957 near Security (WC [now UCM] records in Armstrong 1972) Reported presence in 1998 survey (Seidel 1998)
ELBERT	Historical range (Armstrong 1972) Captured in trap plots in 1995 (Fitzgerald, Colorado Division of Wildlife, Wildlife Inventory Report, Progress Report 1995, Kahn and Fitzgerald 1995) Reported presence in 1998 survey (Seidel 1998)
HUERFANO	Reported presence in 1998 survey (Seidel 1998)
JACKSON	Resident shot 2 near Arapahoe Creek in 1893 (Cary 1911, of which Armstrong [1972] is skeptical)
JEFFERSON	Eastern parts included in historical range (Armstrong 1972) Not considered to have suitable habitat remaining to support populations (Fitzgerald et al. 1997)
KIOWA	Historical range (Armstrong 1972) Captured in trap plots in 1995 (Fitzgerald, Colorado Division of Wildlife, Wildlife Inventory Report, Progress Report 1995, Kahn and Fitzgerald 1995) Reported presence in 1998 survey (Seidel 1998)
KIT CARSON	Historical range (Armstrong 1972) A few reported near Tuttle in 1909 (Cary 1911, Armstrong 1972) 4 specimens collected in 1972 from somewhere in county (DMNS records) Reported presence in 1998 survey (Seidel 1998)
LARIMER	Eastern parts included in historical range (Armstrong 1972) Considered very rare in region about Loveland in 1895 (Cary 1911) No surveys conducted as of 1999 but swift foxes are found on the Meadow Springs Ranch owned by the City of Fort Collins in the northern part of the county
LAS ANIMAS	Historical range (Armstrong 1972) 3 specimens taken in 1915-16 from east Las Animas County (25 mi northwest of Estelene, Baca County) near Cimarron County, Oklahoma (Long and Long 1964, Armstrong 1972, Caire et al. 1989, USNM records) Several studies on Pinyon Canyon Maneuver Site from 1986 - 1999 (Covell 1992, Covell et al. 1996, Kitchen 1999, Kitchen et al. 1999, Andersen et al. in press) Specimens collected from Pinyon Canyon Maneuver Site in 1989 (MHP records) Foxes trapped for Canadian Reintroduction in 1985 (Carbyn 1998) Road killed swift fox collected in 1994 from Hwy 160 on Baca County line (DMNS records) Captured in trap plots in 1995 (Fitzgerald, Colorado Division of Wildlife, Wildlife Inventory Report, Progress Report 1995, Kahn and Fitzgerald 1995) Reported presence in 1998 survey (Seidel 1998)
LINCOLN	Historical range (Armstrong 1972) Specimen collected 1 near Liron, 1 from 5.5 mi. east of Rush, and 30 mi south of Hugo (Armstrong 1972) Specimen collected in 1942 from somewhere in county (MSB records) Specimen collected in 1962 5 1/4 mi east of Rush (MHP records) 2 specimens collected in 1968 from Hugo (DMNS records, 1 now missing) Foxes trapped for Canadian Reintroduction in 1985 (Carbyn 1998) Reported presence in 1998 survey (Seidel 1998)
LOGAN	

Records of swift fox (*Vulpes velox*) distribution in Colorado  
(compiled by Northern Prairie Wildlife Research Center and Kansas Department of Wildlife and Parks, September 2000)

County	Distribution Records
ADAMS	Historical range (Armstrong 1972) Specimen collected in 1914 from Brighton, 9 collected in 1916 from Simpson (DMNS records in Armstrong 1972) No recent searches conducted as of 1999 (R. Kahn, Colorado Division of Wildlife, pers. comm)
ARAPAHOE	Historical range (Armstrong 1972) Specimen collected in 1947 from Deer Trail (DMNH records in Armstrong 1972) No recent searches conducted as of 1999 (R. Kahn, Colorado Division of Wildlife, pers. comm)
BACA	Historical range (Armstrong 1972) Reported common on the plains in 1907 (Cary 1911) Armstrong (1972) cited Long and Long (1964) reporting 2 foxes from Baca County. Long and Long reported 2 foxes collected 25 mi northwest of Estelene, which puts location in Las Animas County, not Baca County. Reported from Comanche National Grass and spotlight survey in 1995 (SFCT 1995) Captured in trap plots in 1995 (Fitzgerald, Colorado Division of Wildlife, Wildlife Inventory Report, Progress Report 1995, Kahn and Fitzgerald 1995) Reported presence in 1998 survey (Seidel 1998)
BENT	Historical range (Armstrong 1972) Reported common in the southern part of the county (Cary 1911) 2 specimens in 1889 from somewhere in county (Armstrong 1972, USNM records) Reported presence in 1998 survey (Seidel 1998)
BOULDER	Eastern parts included in historical range (Armstrong 1972) 2 killed on farm 3 mi. northeast of Boulder in 1903 (Cary 1911, Armstrong 1972) Few if any remain on plains of this county in 1911 (Cary 1911) 2 specimens collected in 1963 from east of Boulder, labeled on y as <i>Vulpes</i> (UCM records) Not considered to have suitable habitat remaining to support populations (Fitzgerald et al. 1997)
CHEYENNE	Historical range (Armstrong 1972) 2 specimens from Firstview (KU records, Armstrong 1972) 4 specimens collected in 1973 from in or near Kit Carson (DMNS records) Individual swift fox found dead on prairie near Cheyenne Wells in 1903, reportedly not uncommon in this area at that time (Cary 1911) Captured in trap plots in 1995 (Fitzgerald, Colorado Division of Wildlife, Wildlife Inventory Report, Progress Report 1995, Kahn and Fitzgerald 1995) Reported presence in 1998 survey (Seidel 1998)
CROWLEY	Historical range (Armstrong 1972) Specimen collected in 1941 somewhere in county (MSB records in Armstrong 1972) Reported presence in 1998 survey (Seidel 1998)
DENVER	Historical range (Armstrong 1972) 2 specimens collected near Denver without collection date (YPM records) Specimen collected in 1878 from Denver, AMNH, Armstrong 1972) Specimen collected in 1917 from Denver Zoo (DMNS records)
DOUGLAS	Historical range (Armstrong 1972) Not considered to have suitable habitat remaining to support populations (Fitzgerald et al. 1997)



List of museums and their acronyms that provided records used in the following table.

Acronym	Museum Name	AKA	School
AMNH	American Museum of Natural History James Ford Bell Museum of Natural History Chicago Academy of Science (no records)		University of Minnesota
CSU	Colorado State University Cornell University Museum of Vertebrates (no records)	CSUTC	Colorado State University Cornell University
DMNH	Denver Museum of Natural History Illinois Natural History Survey (no records of swift fox but several records of kit fox)		
ENMJ	Natural History Museum		Eastern New Mexico University
FWNSH	Fort Worth Museum of Science and History (no records)		
FWS	Bureau of Sport Fisheries and Wildlife, Denver Food Habitat Collection row part of MSB	MSB	University of New Mexico
KSU	Kansas State University		Kansas State University
KU	Museum of Natural History		University of Kansas
MHP	Museum of the High Plains	FJSC	Fort Hays State University
MSB	Museum of Southwestern Biology		University of New Mexico
MCZ	Museum of Comparative Zoology		Harvard University
NMAMNH	New Mexico Museum of Natural History		
OSU	Museum of Natural History and Cultural History	OKSU	Oklahoma State University (Museum records say OK A&M College Museum of Zoology)
OMNH	Oklahoma Museum of Natural History		Yale University
YPM	Peabody Museum of Natural History		Southern Colorado State College
SCSC	Southern Colorado State College	TTU	Texas Tech University
IT	Texas Tech University	CU	University of Colorado
UCM	University of Colorado Museum		University of Oklahoma
UOMZ	University of Oklahoma Stovall Museum Science and History	Smithsonian	
USNM	U.S. Museum of Natural History	UCM, CU	University of Colorado
WC	Collection of E. R. Warren, now at U. Colorado		West Texas State University
WTSU	West Texas State University		

## APPENDIX

Compilation of records of swift fox observations from literature, museum records, and state agency records.

	Jones et al. (1987) and Horner (1995) cite museum specimens from this county without date or which institution
MOTLEY	None found during 1996 track and spotlight survey (Mote 1996)
NOLAN	Historical range, habitat no longer suitable (Mote et al. 1998)
NOHILTREE	Historical range, habitat no longer suitable (Mote et al. 1998)
	Historical range (Mote et al. 1998)
	3 specimens collected in 1960 near Perryton (KU records in Jones et al. 1987, Horner 1995)
	6 specimens collected in 1963 near Booker (OSU records in Jones et al. 1987, Horner 1995)
	Jones et al. (1987) and Horner (1995) cite museum specimens from this county without date or which institution
	None found during 1996 track and spotlight survey (Mote 1996)
OLDHAM	Historical range (Mote et al. 1998)
	Museum specimen from Tascosa (Bailey 1905 in Blair 1954)
	Definite records exist (Davis 1966)
	Specimen collected in 1967 from Ward Ranch (TT records)
	Jones et al. (1987) and Horner (1995) cite museum specimens from this county without date or which institution
	None found during 1996 track and spotlight survey (Mote 1996)
PARMER	Historical range (Mote et al. 1998)
	Specimen collected in 1957 from 5 mi west of Bovina (KU records)
	Specimen collected in 1964 from 6 mi east of Friona (TT records)
	Jones et al. (1987) and Horner (1995) cite museum specimens from this county without date or which institution
	None found during 1996 track and spotlight survey (Mote 1996)
PECOS	Historical range, habitat no longer suitable (Mote et al. 1998)
	Austin College Professor collected 5 skulls in 1968 from fence 10 mi west of McCarney, in Upton County, at point where Pecos, Crane, and Crockett counties meet. Suspected killed by hunters within 1.5 mi. of that spot (Horner 1995)
POTTER	Historical range, habitat no longer suitable (Mote et al. 1998)
	Jones et al. (1987) and Horner (1995) cite museum specimens from this county without date or which institution
RANDALL	Historical range, habitat no longer suitable (Mote et al. 1998)
	Museum specimen (Horner 1995)
	Unconfirmed sighting by Buffalo Lake Wildlife Refuge manager in 1994 (Horner 1995)
REAGAN	Historical range, habitat no longer suitable (Mote et al. 1998)
ROBERTS	Historical range, habitat no longer suitable (Mote et al. 1998)
	Record based on literature in Jones et al. (1987) but not cited in Horner (1995)
RUNNELS	Historical range, habitat no longer suitable (Mote et al. 1998)
SCHLEICHER	Historical range, habitat no longer suitable (Mote et al. 1998)
SCURRY	Historical range, habitat no longer suitable (Mote et al. 1998)
	Fossil teeth from tiny fox identified as " <i>Vulpes</i> near <i>V. velox</i> " among early Blancan (late Pliocene) remains (Parnallee et al. 1969 in Egoscue)
SHACKELFORD	Historical range, habitat no longer suitable (Mote et al. 1998)
SHERMAN	Historical range (Mote et al. 1998)
	2 specimens collected in 1955 near Stratford (KU records)
	Jones et al. (1987) and Horner (1995) cite museum specimens from this county without date or which institution
	Sightings and tracks found during 1996 track, spotlight, and trapping survey (Mote 1996)
	Sightings and captures during 1997 spotlighting and trapping survey (Mote 1997)
	Sightings and captures during 1998 study (Mote et al. 1998)

STERLING	Historical range, habitat no longer suitable (Mote et al. 1998)
STONEWALL	Historical range, habitat no longer suitable (Mote et al. 1998)
SWISHER	Historical range (Mote et al. 1998) Specimen collected in 1948 (Glass 1956 cited as OSU, but OSU only has specimen from 1950 for Swisher County) Specimen collected in 1950 from 18 mi northeast of Tulia (OSU records) Definite records exist (Davis 1966) Jones et al. (1987) and Horner (1995) cite museum specimens from this county without date or which institution None found during 1996 track and spotlight survey (Mote 1996)
TAYLOR	Historical range, habitat no longer suitable (Mote et al. 1998)
TERRY	Historical range (Mote et al. 1998) None found during 1996 track and spotlight survey (Mote 1996)
TOM GREEN	Historical range, habitat no longer suitable (Mote et al. 1998)
UPTON	Historical range, habitat no longer suitable (Mote et al. 1998)
WHEELER	Historical range, habitat no longer suitable (Mote et al. 1998)
WINKLER	Historical range, habitat no longer suitable (Mote et al. 1998)
YOAKUM	Historical range (Mote et al. 1998) None found during 1996 track and spotlight survey (Mote 1996)

REGIONAL	<p>Specimen collected in 1889 listed as from "northwest Texas" (AMNH records)</p> <p>Bailey (1932) states that swifts were common over the staked plains of NW Texas</p> <p>2 foxes captured from farm in Texas panhandle, 1956 (Glass 1956)</p> <p>High Plains region (Davis 1966)</p> <p>Historic range extended from panhandle south to central Texas and west to the Trans-Pecos region (Horner 1995)</p> <p>Austin College Professor collected 5 skulls in 1968 from fence 10 mi west of McCamey, in Upton County, at point where Pecos, Crane, and Crockett counties meet. Suspected killed by hunters within 1.5 mi. of that spot (Horner 1995)</p> <p><i>V. velox</i> overlaps <i>V. macrotis</i> in Texas, southern part of its range, reported hybrids disputed (Jones et al. 1987)</p> <p>Take by professional trappers changed little in 10 years previous to 1987 (Horner 1995, citing Jones et al. 1987)</p> <p>Most historical maps include 78 counties of Panhandle and west Texas (Mote et al. 1998)</p> <p>Potential range based on distribution of short, mixed-grass, and bunchgrass habitats exist in Andrews, Archer, Armstrong, Bailey, Baylor, Borden, Briscoe, Callahan, Carson, Castro, Childress, Cochran, Coke, Coleman, Collingsworth, Concho, Cottle, Crane, Crockett, Crosby, Dallam, Dawson, Deaf Smith, Dickens, Donley, Eastland, Ector, Floyd, Gaines, Garza, Glasscock, Gray, Hale, Hall, Hansford, Hardeman, Harmon, Hartley, Haskell, Hemphill, Hockley, Howard, Hutchinson, Irion, Jackson, Jones, Kent, King, Knox, Lamb, Lipscomb, Lubbock, Lynn, Martin, Moore, Motley, Ochiltree, Oldham, Parmer, Pecos, Potter, Randall, Reagan, Roberts, Runnels, Schleicher, Scurry, Shackelford, Sherman, Stephens, Sterling, Stonewall, Swisher, Taylor, Terry, Throckmorton, Tom Green, Upton, Wheeler, Wichita, Wilbarger, Winkler, Yoakum, and Young counties (Risser et al. 1981)</p>
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No records from 1905 - 1948

Recovery began in 1950s (Esogue 1979)

**Records of swift fox (*Vulpes velox*) distribution in Wyoming**  
 (compiled by Northern Prairie Wildlife Research Center and Kansas Department of Wildlife and Parks, September 2000)

<b>Distribution Records</b>	
<b>County</b>	
ALBANY	Historical range (Long 1965, Lindberg 1986) Observations reported between 1976-85 (Lindberg 1986) Reported presence during 1995 track and spotlight surveys (Woolley et al. 1995) Reported in Wyoming Game & Fish Dept. 1995 trapper survey (Woolley et al. 1995) Reported to Wildlife Observation System (WOS) from 1985 - 1995 (Woolley et al. 1995) Captured in 1996-98 during swift fox monitoring techniques study (Dieni et al. 1996, Olson et al. 1997, 1998) Eastern parts included in historical range (Long 1965, Lindberg 1986) Reported in Wyoming Game & Fish Dept. 1995 trapper survey (Woolley et al. 1995)
BIG HORN	Historical range (Long 1965, Lindberg 1986) Observations reported between 1976-85 (Lindberg 1986) Incidental sighting by Forest Service between 1990-1995 (Woolley et al. 1995) Thunder Basin National Grassland surveyed but no records in 1995, not surveyed in 1997 (SWCT 1995, 1997) Present in 1996, 1998 in Thunder Basin National Grassland (SWCT annual report 1996, 1998)
CAMPBELL	Historical range (Long 1965, Lindberg 1986) Observations reported between 1976-85 (Lindberg 1986) Incidental sighting in 1995 (Woolley et al. 1995) Reported to Wildlife Observation System (WOS) from 1985 - 1995 (Woolley et al. 1995) Reported in Wyoming Game & Fish Dept. 1995 trapper survey (Woolley et al. 1995) Sightings in 1995 during Wyoming Game & Fish Dept. ferret surveys 16 radiocollared near Medicine Bow (Dieni et al. 1996)
CARBON	Historical range (Long 1965, Lindberg 1986) Specimen taken from Bridgers Pass in 1856 (USNM records in Long 1965) Specimen taken from near Aurora (Aurora Lake?) in 1898 (AMNH records in Long 1965) Observations reported between 1976-85 (Lindberg 1986) Incidental sighting in 1995 (Woolley et al. 1995) Reported to Wildlife Observation System (WOS) from 1985 - 1995 (Woolley et al. 1995) Reported in Wyoming Game & Fish Dept. 1995 trapper survey (Woolley et al. 1995) Sightings in 1995 during Wyoming Game & Fish Dept. ferret surveys 16 radiocollared near Medicine Bow (Dieni et al. 1996)
CONVERSE	Historical range (Long 1965, Lindberg 1986) Observations reported between 1976-85 (Lindberg 1986) Reported presence during 1995 track survey (Woolley et al. 1995) Reported in Wyoming Game & Fish Dept. 1995 trapper survey (Woolley et al. 1995) Incidental sighting by Forest Service between 1990-1995 (Woolley et al. 1995) Thunder Basin National Grassland surveyed in 1995, no records not surveyed in 1997 (which county?, SWCT 1995, 1997) Present in 1996, 1998 in Thunder Basin National Grassland (Which county?, SFC annual report 1996, 1998)
CROOK	Historical range (Long 1965, Lindberg 1986) Observations reported between 1976-85 (Lindberg 1986) Incidental sighting by Forest Service between 1990-1995 (Woolley et al. 1995) Eastern parts included in historical range (Long 1965, Lindberg 1986) Observations reported between 1976-85 (Lindberg 1986) Reported presence during 1995 spotlight surveys (Woolley et al. 1995) Reported in Wyoming Game & Fish Dept. 1995 trapper survey (Woolley et al. 1995)
FREMONT	Historical range (Long 1965, Lindberg 1986) Specimen collected from Fort Laramie, no date (USNM records)
GOSHEN	Historical range (Long 1965, Lindberg 1986) Specimen collected from Fort Laramie, no date (USNM records)

	Observations reported between 1976-85 (Lindberg 1986) Reported presence during 1995 spotlight surveys (Woolley et al. 1995) Reported in Wyoming Game & Fish Dept. 1995 trapper survey (Woolley et al. 1995)
JOHNSON	Historical range (Long 1965, Lindberg 1986) Observations reported between 1976-85 (Lindberg 1986) Reported to Wildlife Observation System (WOS) from 1985 - 1995 (Woolley et al. 1995)
LARAMIE	Historical range (Long 1965, Lindberg 1986) Specimen collected with no date somewhere in county (KU records) Specimen collected 1 1902 near Cheyenne YPM records) Specimen collected in 1958 from 2 mi south, 5 mi east of Archer (KU records in Long 1965) Observations reported between 1976-85 (Lindberg 1986) 3 specimens collected in 1981 from East of Anderson Ranch, 15 mi northeast of Cheyenne (KU records) Foxes trapped for Canadian Reintroduction in 1986, 1990-96 (Carbyn 1998) 21 specimens commercially trapped in Townships 14-16, ranges 63-69 (Floyd and Stromberg 1981) Reported presence during 1995 track and spotlight surveys (Woolley et al. 1995) Reported in Wyoming Game & Fish Dept. 1995 trapper survey (Woolley et al. 1995) Reported to Wildlife Observation System (WOS) from 1985 - 1995 (Woolley et al. 1995) 16 radiocollared near Cheyenne in 1996, reported from spotlight and track surveys (Dieni et al. 1996)
LINCOLN	Reported in Wyoming Game & Fish Dept. 1995 trapper survey (Woolley et al. 1995)
NATRONA	Historical range (Long 1965, Lindberg 1986) Observations reported between 1976-85 (Lindberg 1986) Reported presence during 1995 track and spotlight surveys (Woolley et al. 1995) Reported in Wyoming Game & Fish Dept. 1995 trapper survey (Woolley et al. 1995)
NIOBRARA	Historical range (Long 1965, Lindberg 1986) Observations reported between 1976-85 (Lindberg 1986) Reported to Wildlife Observation System (WOS) from 1985 - 1995 (Woolley et al. 1995)
PARK	Reported (1 record) in Wyoming Game & Fish Dept. 1995 trapper survey (Woolley et al. 1995)
PLATTE	Historical range (Long 1965, Lindberg 1986) Observations reported between 1976-85 (Lindberg 1986) Reported to Wildlife Observation System (WOS) from 1985 - 1995 (Woolley et al. 1995)
SHERIDAN	Historical range (Long 1965, Lindberg 1986) Observations reported between 1976-85 (Lindberg 1986)
SUBLETTE	Observations reported between 1976-85 (Lindberg 1986)
SWEETWATER	Historical range (Long 1965, Lindberg 1986) Observations reported between 1976-85 (Lindberg 1986) Reported presence during 1995 track and spotlight surveys (Woolley et al. 1995) Reported in Wyoming Game & Fish Dept. 1995 trapper survey (Woolley et al. 1995)
UINTA	One record in Lindberg (1985)
WASHAKIE	Historical range (Long 1965, Lindberg 1986) Reported in Wyoming Game & Fish Dept. 1995 trapper survey (Woolley et al. 1995) Reported to Wildlife Observation System (WOS) from 1985 - 1995 (Woolley et al. 1995)
WESTON	Historical range (Long 1965, Lindberg 1986)

	<p>Observations reported between 1976-85 (Lindberg 1986)</p> <p>Reported presence during 1995 track and spotlight surveys (Woolley et al. 1995)</p> <p>Reported in Wyoming Game &amp; Fish Dept. 1995 trapper survey (Woolley et al. 1995)</p> <p>Incidental sighting by Forest Service between 1990-1995 (Woolley et al. 1995)</p> <p>Thunder Basin National Grassland surveyed in 1995, 1996, and 1998. No records for 1995, present in 1996 and 1998, not surveyed in 1997. (which county?, SWCT 1995, 1996, 1997, 1998)</p>
REGIONAL	<p>5 specimens collected in 1898 from "Aurora" by W. W. Granger (AMNH records; Carbon County?)</p> <p>Distribution listed as "eastern portions of the state" (Unpublished report)</p> <p>"Probably once occurred throughout Wyoming in valleys and on prairies." (Long 1965)</p> <p>Potential range based on distribution of short, mixed-grass, and bunchgrass habitats exist in Albany, Big Horn, Cambell, Carbon, Converse, Crook, Freemont, Goshen, Hot Springs, Johnson, Laramie, Lincoln, Natrona, Park, Platte, Sheridan, Sublette, Sweetwater, Teton, Uinta, Washakie, and Weston counties (Risser et al. 1981)</p>

No records from 1898 - 1976, except one record from 1958 (Laramie County).

# *SWIFT FOX REINTRODUCTION GUIDELINES*

Prepared by the Reintroduction Subcommittee of the Swift Fox  
Conservation Team

May 22, 2000

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Introduction: The Swift Fox Conservation Team (SFCT) was formed in 1994 with a primary purpose of developing a framework for conservation planning for swift fox in the United States. This interagency group meets annually to resolve issues and chart progress of participating entities in meeting the commitments described in the *Conservation Assessment and Conservation Strategy for Swift Fox in the United States* (Kahn et al. 1997).

Within the Conservation Strategy portion of this document, strategies are assigned prioritized ranks (top, high, medium, or low), based on the immediacy of need and relative importance of strategies for assuring long-term species viability. Under Objective 7 (Expand distribution of the United States swift fox population to occupy 50 percent of the suitable habitat that is available), Strategy 7.1 is as follows:

Expand distribution of existing state populations and restore swift fox to unoccupied suitable habitat. Promote natural dispersal through species protection measures while developing methodology and priority areas for augmentation through wild-captured swift fox introductions (Carbyn et al. 1993). This strategy is a priority in states which do not have a swift fox population present or the population has a severely limited distribution. The SFCT and state working groups should investigate the potential of utilizing existing captive breeding programs for reintroductions.

This strategy is categorized as a low priority by the SFCT for the following reasons: The species is considered stable throughout the majority of its range, making reintroduction a low priority for most states and jurisdictions; reintroductions are expensive and uncertain ventures, particularly if reasons for the species' current absence from an area are unclear; and maintaining swift fox in currently occupied areas is considered a better investment of limited resources than the resource-intensive process of reintroduction. However, because of interest among certain non-governmental conservation organizations, landowners and land managers in reintroducing swift fox, the SFCT has drafted the following guidelines.

In addition to the specific guidelines outlined below, the SFCT has several overriding recommendations for swift fox reintroduction programs. The project should have a clear statement of need, well-conceived objectives, specific design components, and clear methods of evaluating success. A swift fox reintroduction should not jeopardize an existing swift fox population or put other vulnerable wildlife species at risk. Reintroductions are often high-visibility projects, making it critical that project participants anticipate problems and develop contingencies beforehand. Although the SFCT strongly urges long-term planning and adherence to established plans, adaptive management should be employed to allow for technique modification as needed.

These guidelines are not legally-binding on or compulsory for reintroduction participants and may change as additional information becomes available. At this

point, the guidelines are intended to serve as a suggested framework for reintroduction planning. Each component is not applicable to each situation, and the guidelines do not guarantee a successful reintroduction program.

The SFCT is willing to assist in evaluating reintroduction proposals in hopes that reintroduction projects are conducted in a scientifically valid manner and that such projects support the long-term needs of this species.

## **I. Preliminary planning:**

- A. Define project need and potential benefits to continental swift fox population.
- B. Evaluate potential historical reasons for swift fox decline in the target release area and assess how these factors may influence the success of the reintroduction.
- C. Define the general objective of the reintroduction program. Examples include:
  - 1. To enhance the continental status of the species;
  - 2. To restore an ecosystem component;
  - 3. To increase awareness of the plight of a species or ecosystem.
- D. Identify initial impediments to reintroduction. Examples include:
  - 1. Legal constraints;
  - 2. Known landowner/land user opposition;
  - 3. Conflicting land uses, such as unregulated animal control practices.
- E. Make initial contact with the Swift Fox Conservation Team, appropriate state or federal SFCT representatives, and state swift fox working group or its equivalent.
- F. Work within established IUCN - The World Conservation Union guidelines for reintroductions (IUCN 1998).
- G. Begin public awareness program at the local level (and regional and national levels, if appropriate) and begin building political support with contacts and involvement of relevant government entities, non-governmental organizations, cross-border cooperation, and landowners.
- H. Investigate land ownership and protection status of release area and dispersal habitat. Assess whether the target release area and surrounding habitat have long-term protection from significant habitat conversion or fragmentation, since current information on swift fox dispersal suggests that young fox may travel as far as 20 miles.

## **II. Objective-setting:**

- A. Determine whether resident swift fox are present in the potential release areas.
- B. Determine whether the project will be a reintroduction or a reinforcement. The following definitions were established by the International Union for Conservation of Nature and Natural Resources (IUCN) - The World Conservation Union.
  - reintroduction: an attempt to establish a species in an area which was once part of its historical range, but from which it has been extirpated or become extinct

reinforcement: addition of individuals to an existing population of conspecifics

C. Define specific short-term and long-term objectives for release. Examples include:

1. What is the desired self-sustaining population or size of desired occupied area?
2. How long should the population be self-sustaining before reintroduction is considered successful?
3. At what point will releases be discontinued?
4. Under what conditions will a decision be made that reintroduction will not commence?

D. Develop a reintroduction plan and schedule with objectives that are clearly defined, prioritized, measurable, reasonable, and tied to associated budgets. The plan should include measurements of reintroduction success and failure. The plan should also include measures to ensure that:

1. Prairie conversion/destruction will be negligible;
2. Coyote and/or red fox trapping be considered if thought necessary to enhance swift fox survival;
3. Carnivore trapping will be managed to reduce swift fox injuries or losses -- this management will include the institution/enhancement of trapper education programs for release area and surrounding lands;
4. Landowner conflicts will be reduced;
5. Poisons/rodenticides will be restricted;
6. policies are included to intervene in release phase if necessary, such as supplemental feeding, removal of animals;
7. guidelines for decision-making process in conflict situations are included.

E. Establish reintroduction time-lines with a commitment to reintroduction and evaluation for a specific time period (SFCT recommendation of 10 years).

F. Determine whether funding commitments are in place for a meaningful reintroduction effort.

G. Determine the most appropriate composition and role of an advisory team. At a minimum, a local working group is recommended to represent known interest groups, such as those of surrounding landowners, local government, and other resources users. With a complex, international reintroduction project, a two-tiered approach may be most suitable. The first tier may be a local working group. The second tier may be a scientific/management advisory team that addresses concerns of government agencies, non-government organizations, local publics, adjoining landowners, and academia. The advisory team should collectively have expert knowledge on biological, economic, sociological, political, and legal aspects of the reintroduction project. Determine such team facets as structure, continuity over

project duration, and decision-making authority. Both the local working group and advisory team should be willing to work in a cooperative manner to fulfill reintroduction plan commitments. Utilize existing working groups if appropriate.

### **III. Evaluation of need for and relative benefits of the project:**

A. Determine whether reintroduction site is within the historical range of the swift fox. Project should not be conducted unless this criterion is met.

B. Investigate whether reintroduction complements or conflicts with existing ecosystem or land management plans of state, federal, tribal, or private conservation entities.

C. Evaluate the relative benefits of the project in fulfilling commitments of the *Conservation Assessment and Conservation Strategy for Swift Fox in the United States*.

D. Evaluate relative benefits of the project to the continental population and to adjacent existing swift fox populations.

E. Consider whether the reintroduced population could cause extirpation of locally rare resident species, such as mountain plovers, burrowing owls, sage grouse, or prairie dogs.

### **IV. Evaluation of legal and social aspects of the project (See Table 1):**

A. Determine legality of captive breeding or translocation from source populations, including consideration of health and quarantine regulations.

B. Determine legality of transporting swift fox across state/provincial/international boundaries, including consideration of health and quarantine regulations.

C. Determine legality of swift fox release in the target area, including consideration of health and quarantine regulations.

D. Determine whether additional legal protection is needed in release areas. If so, evaluate whether such protection would cause insurmountable conflicts with landowners, hunters, trappers, or local industries.

E. Consult advisory team and local stakeholders, and integrate their concerns into the decision process. If needed, conduct socio-economic study to assess impacts, costs, and benefits to the human population.

F. Inform and interact with landowners about the implications of swift fox presence on their land. If appropriate, link landowners with relevant federal or state representatives for possible enrollment in landowner incentive programs.

G. Plan to involve landowners in the release area and in adjacent areas in all facets of the project, including swift fox captures and releases and other conservation and education components.

## **V. Evaluation of biological aspects of the projects:**

A. Research previous comparable reintroductions and consult appropriate experts.

B. Research status, ecology, life history, physiology, and disease susceptibility of wild populations to evaluate the species' needs and the target release area's suitability. Examples include:

1. Swift fox are generally thought to require flat, short/mid-grass prairie with well-drained soils and adequate escape terrain. Determine availability of such areas in release site and whether the release area is large enough to allow for dispersal movements and population expansion. Dispersal distances of released fox can exceed 100 km.
2. Determine whether sufficient prey is available throughout the year. Seasonal differences in prey availability and use will likely be greatest at northern latitudes. Habitat assessments should be conducted to predict summer and winter conditions.
3. Determine the abundance of predators and competitors, such as coyotes, red fox, and golden eagles.

C. Identify and evaluate known and potential threats to swift fox. Examples include:

1. New canid guild structure, such as increase in coyote and/or red fox population;
2. Disease;
3. Human activity;
4. Habitat and land use changes.

D. Design monitoring program, including such components as demography, behavior, disease, genetics, and ecosystem. See additional details under "VII. Release Procedures."

E. Consult the Swift Fox Conservation Team to determine established standards for data collection, permanent marking protocol, blood collection protocol for DNA and disease analysis, studbook data collection, and genetic management program recommendation. Studbook data should be in an appropriate format that can be analyzed by accepted genetic viability software programs.

F. Design accurate, standardized, and detailed record-keeping system on all project aspects so this information can easily be shared with others. If established, cooperate in continental data bank.

G. Conduct habitat viability analyses of the release area and potential dispersal habitat (environment, resources, carrying capacity, spatial characteristics, etc.)

H. Conduct population modeling (population viability analysis and metapopulation model) and sensitivity analysis of short- and long-term demography and distribution.

I. Determine whether habitat modifications are needed. Examples include:

1. Should cattle grazing patterns/stocking levels be modified to allow for maximal prey productivity and optimal swift fox habitat?
2. Is there a need to enhance keystone species, such as badgers or prairie dogs?
3. Is there a need to reduce local coyote and/or red fox populations before and during swift fox releases?

## **VI. Founder Stock Selection:**

A. Determine whether wild or captive founder stock is available that can sustain removal for reintroduction effort.

B. Decide on founder type. Some considerations with translocation vs. captive-breeding founder stock selection are as follows:

C. Translocation considerations:

Pros: Foxes are adapted to wild conditions, increasing the likelihood of higher survival rates; technique may be more cost- and time.

Cons: Possibility of disease transfer into newly established populations, and source populations may not sustain frequent capture of animals.

1. If translocated animals are selected:

- a. Investigate what is known of source population, such as population density and survival, reproductive, and mortality rates. Determine whether to translocate individuals or family groups. Consider potential impacts of removal of individuals or family groups for translocation and evaluate whether additional research or monitoring is needed before individuals or family groups are removed for translocation.
- b. Establish stringent quarantine protocols.
- c. Determine balance between quarantine requirements and advantages of quick releases for stress reduction and minimal habituation to humans.

- d. Consider fall releases. Research in Canada has shown that fall-released, translocated foxes had similar survival rates to resident animals in the target areas.
- e. Modify traps with small mesh and wood; ideally check traps at least twice/night; and consider closing traps during the day.
- f. Ensure that captured foxes are transported to quarantine facilities quickly and frequently.
- g. Ensure that transportation kennels and holding areas are modified with small mesh and wood to reduce likelihood of canine or jaw breakage.

D. Captive breeding considerations:

Pros: Captive-breeding stock is available from a few sites in the U.S. and Canada, disease concerns can be minimized, this selection has minimal impact on wild source populations, and swift fox have a high captive breeding success rate.

Cons: Captive breeding can be costly, survival rates of captive-reared foxes may be lower than survival rates of translocated individuals, and individuals may be habituated to humans.

1. If captive-bred animals are selected:

- a. Develop a studbook and ensure that founder stock will establish a genetically viable population.
- b. Identify a source of wild foxes to potentially supplement the program over time.
- c. Screen founders for disease and establish quarantine protocols.
- d. Set age limits for swift fox releases. Although captive foxes can survive to 13 years, the oldest documented wild swift fox have been 7 years old.
- e. Release in family groups if possible.
- f. Minimize travel times to release sites, and conduct releases in the evening.
- g. Consider fall releases. Canadian studies have shown fall-released foxes survive more successfully than spring-released foxes.
- h. Establish good veterinary support, conduct regular vaccinations, and address fate of nonbreeding animals (release, euthanasia, or construction of enclosures for old or injured animals).

E. Assess taxonomic status of original swift fox populations and of animals planned for release. Ensure that founder stock is genetically similar to the historical swift fox population in the target release area. It has generally been accepted that *Vulpes velox hebes* either never existed as a separate subspecies or is now extinct and, therefore, translocations can be made between southern and northern locations. However, founders should be from nearby viable populations to maximize localized adaptations.



F. Establish mechanism for routine storage of genetic material from all foxes handled, released and/or recaptured.

## **VII. Release Procedures:**

A. Determine time frame for reduction of human activities that pose a threat to released animals.

B. Arrange for local veterinary assistance and determine when veterinary intervention will be used.

C. Determine release strategy, including transport, number of animals, group composition, training and acclimation, release patterns, supplemental feeding, vaccinations, and use of surrogate species.

D. Evaluate choice between large initial release and long-term supplementation. Preliminary data indicate that frequent swift fox supplementation may be more effective than large initial releases (>20 individuals). The former approach also allows for release strategy modifications on a yearly basis.

E. Evaluate choice between soft or hard release. SFCT recommends that soft release be considered for trial before resorting to hard releases.

1. Soft releases are commonly used for canid reintroductions and have been used for swift fox; soft release allows swift fox to acclimate to local conditions; dispersal distances may be reduced; and survival rates of captive-raised, soft-released foxes appear to be higher than those of hard-released foxes.
2. Hard releases are more cost-efficient, but hard-released foxes may have extensive post-release dispersal movements following releases.

F. Implement monitoring activities:

1. Monitor behavior, space use, and survival of all or a sample of released animals with radio telemetry as preferred method;
2. Monitor demography (mortality, reproduction) and population range;
3. Record mortality causes;
4. Include genetic and health surveillance;
5. Monitor long-term adaptation of individuals and population to the ecosystem;
6. Monitor effects on the ecosystem, such as predation and displacement;
7. Monitor carnivore/human relations, such as depredation, and continue public relations activities;
8. Monitor demography of source population (if translocated animals are used);
9. Set up genetic data banks.

G. Implement intervention policies on feeding, disease control, predator control, recapture, and supplementation of population.

H. Formulate procedure for deposition of dead swift fox. Procedure should address responsibility for recovery, necropsy, and final deposition of specimen.

I. Continue protective measures, which may include habitat restoration, coyote and red fox reduction, and legal restrictions, if necessary.

J. Implement experimental design to test effectiveness of founder animal selection and release techniques.

### **VIII. Assessment and Evaluation:**

A. Evaluate the effectiveness of pre-release activities.

B. Evaluate reintroduction success with radio telemetry, supplemented with sound population monitoring surveys.

C. Evaluate project effectiveness with regard to continental status of species; i.e., would protection of remaining populations have been more effective?

D. Evaluate costs/benefits with regard to nonbiological dimensions; i.e., documentation, efficiency in time and resource use, inter- and intraorganizational relations, education, paradigm shifts in public attitudes.

E. Make frequent reports and publications available for research and peer review.

F. Evaluate population viability to determine revision, rescheduling, or discontinuation of program. This evaluation should be consistent with objectives and time-frames developed in planning documents.

G. Publish results in scientific, peer-reviewed literature and popular literature. Utilize appropriate web sites for information dissemination.

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**TABLE 1: LEGAL REQUIREMENTS FOR SWIFT FOX IMPORT, EXPORT, OR RELEASE.**

NOTE: These requirements are current as of March 1, 2000. Interested parties should verify that these requirements are still in effect during initial planning for swift fox import, export, or release.

No information supplied by State of Nebraska or U.S. Forest Service.

**Part A**

JURISDICTION	EXPORT REQUIREMENTS	IMPORT REQUIREMENTS	RELEASE REQUIREMENTS
Colorado. See attachment 1.	Approval from Wildlife Commission to capture and transport any wildlife; (33-1-106) Colorado Revised Statutes. Applicant must submit letter and proposal to Rick Kahn, Colorado Division of Wildlife, for submission to monthly Wildlife Commission meeting.	Approval from Wildlife Commission to capture and transport any wildlife; (33-1-106) Colorado Revised Statutes. Applicant must submit letter and proposal to Rick Kahn, Colorado Division of Wildlife, for submission to monthly Wildlife Commission meeting.	Need specific Commission approval. Applicant must submit letter and proposal to Rick Kahn, Colorado Division of Wildlife, for submission to monthly Wildlife Commission meeting.
Kansas. See attachment 2.	Statute 32-1002 generally prevents this activity. However, take is authorized during legal furharvest season with 1) possession of a furharvester license if not taken on own property; 2) andowners do not need any licenses to take on their property. A person can possess live animals and transport (not ship) them to another state. Animals must be released or killed before the end of Kansas' furharvest season. Swift fox can be donated, but not sold (Reg. 115-5-2 (c)). Holders of a scientific collectors permit (Statute 32-952) need approval by Secretary to ship animals. Statute 32-1005 prohibits import or export of illegally harvested species in or out of the state. Scientific collectors permits can be obtained by applying to Kansas Wildlife and Parks. Application must be signed by a Conservation Officer. This is a restricted use permit.	Health Certificate required from Kansas Department of Health (9-7-11) to bring any wildlife into Kansas. Application can be made to Kansas Department of Health or directly from veterinarian. Kansas Department of Wildlife and Parks only allows possession during season under a legal furharvester permit or scientific collectors permit. See export requirements column for methods of obtaining these permits.	Continued in Part B. No additional requirements as long as export and/or import requirements are met. Continued in Part B.
Montana. See attachment 3.	Capture may be authorized by Montana Fish, Wildlife and Parks (FWP) providing a scientific collectors permit (87-2-806). Transfer may be permitted in a scientific collectors permit and FWP Commission approval. Applicant must submit a written request and explanation to FWP for scientific collectors permit to capture and transport.	Authorization for importation and introduction may be allowed with FWP Commission approval. Respondent unsure if Environmental Impact Statement (EIS) or Environmental Assessment (EA) would need to be conducted (87-5-701). Applicant must submit a written request to FWP and public discussion with FWP Commission for authorization to introduce swift fox.	No permit required. However, would likely require FWP Commission authorization and plan submitted to FWP, maybe public meeting and possibly an EA or EIS. Applicant must submit a written request to FWP and public discussion with FWP Commission for authorization to introduce foxes. Would possibly require an EA or EIS prepared by FWP. Continued in Part B.

Table 1 Part A Continued

JURISDICTION	EXPORT REQUIREMENTS	IMPORT REQUIREMENTS	RELEASE REQUIREMENTS
New Mexico	Authorization to capture and transfer swift foxes is required and may be done by possession of a valid New Mexico furbearers license or a scientific/educational permit (Taking and Possession of Protected Wildlife for Scientific and Educational Purposes; 19 NMAC 36.2).	A valid importation permit is required to import swift foxes into New Mexico (Importation of Live Animals, Birds, and Fish; 19 NMAC 31.1; 17-3-32 NMSA 1978; 17-5-2 NMSA 1978).	Before imported swift foxes (and other imported species of wildlife) can be released, the applicant must: 1. submit a plat of the release area; 2. submit verification that landowners, tribal officials, and county officials that may be directly affected by the release have been notified of the potential release in writing and have been given 20 days to respond to the release. Responses must be submitted with the application. It is the responsibility of the applicant to notify the above and submit responses to the Department. Additionally, release of imported species must meet the following conditions: 1. will not compete with native wildlife for food, space, cover, breeding habits, or water, and will not hybridize with native species, or otherwise conflict with management of New Mexico's wildlife; 2. does not pose a threat to human health or safety; 3. does not pose a threat to livestock; 4. will not be sold or distributed in any manner other than listed on the permit; 5. all necessary federal permits have been obtained; 6. the Department is satisfied that adequate public comment and notification has been completed in accordance with section 13.2 of this regulation; 7. does not possess or have the potential to carry infectious or contagious disease (Importation of Live Animals, Birds, and Fish; 19 NMAC 31.1)
North Dakota See attachment 4.	Contact required with North Dakota Game and Fish Dept. for importation of species that may have impact resident wildlife populations. Importation or in-State relocation of free-ranging wild protected animals not allowed without written permission of NDGFD and ND State Board of Animal Health.	See export requirements column.	Continued in Part B. See export requirements column.  Continued in Part B.

Table 1 Part A Continued

JURISDICTION	EXPORT REQUIREMENTS	IMPORT REQUIREMENTS	RELEASE REQUIREMENTS
Oklahoma	Swift fox cannot be taken from the wild and exported from Oklahoma except by the Oklahoma Dept. of Wildlife Conservation (ODWC). Oklahoma Wildlife Conservation Commission Rules and Regulations, OAC 800:25-7-62 (2) prohibits the take of swift fox. OAC 800:25-7-64(3)(A) "It shall be illegal to possess live animals, carcasses or raw furs of red fox, swift fox, river otter, mountain lion, bear, ringtail, or spotted skunk, unless proven that each carcass or hide was taken legally outside the State of Oklahoma." The only statutorily defined wildlife species Oklahoma allows to be taken from the wild and held in possession are coyotes under O.S. 29 § 4-106 E. This was done to keep wild coyotes from being imported into Oklahoma from other states to be used in hound coursing pens.	<p>Written authorization from ODWC's Director, with an unofficial/unwritten policy of denying import permits for raccoons and canids to reduce disease introductions into the state. Appropriate certificates of health from a certified veterinarian from the issuing state must accompany the application. Swift fox must be certified disease and parasite free. A quarantine period would likely be required. Commission Regulation OAC 800:25-23-2. (b) The following are the procedures for applying for and cost of an import/export permit: (1) Application forms for import or export of wildlife shall be obtained from the Oklahoma Department of Wildlife. (2) The application must be completed, signed, and approved by the Department prior to shipment. (3) The Fee for the issuance of an import/export permit shall be Five Dollars (\$5.00). (4) Licensed breeders may submit monthly export reports on forms prescribed by the Department in-lieu of individual shipment requests for export. (5) Licensed breeders may ship or otherwise transport to export from the confines of the state any wildlife lawfully bred or propagated without a permit.</p> <p>A condition for authorizing import of swift fox into the state, other than for use by ODWC, is that the receiving party have a non-commercial or commercial wildlife breeders license, depending upon whether there is a financial component to the use of the foxes. To obtain a breeders license, an application must be filled out that includes an inspection of the confinement area by the local game warden. The game warden must sign off on the permit before it is submitted to the central office. The game warden inspection involves viewing the proposed enclosures to ensure that confinement is adequate.</p>	<p>No provisions in statute or regulations allow the release of swift fox into the wild after import from outside Oklahoma. Any release would have to be done in cooperation with ODWC. No provisions in statute or regulation allow a private individual to release swift fox into the wild.</p> <p>Oklahoma Statutes 29 § 5-602. "Confinement of wildlife to premises A. All furbearers, game mammals, game birds, game fish and ruminants raised under the provisions of this Code [i.e. commercial and non-commercial breeding] are hereby required to be confined to the lands or waters described in the application [non-commercial or commercial breeders permit], and such wildlife must be confined in such manner as to prohibit mammals, birds and fish belonging to the State of Oklahoma from becoming part of the enterprise."</p> <p>The intent of this section is to keep commercial and non-commercial breeders from releasing their captive animals into the wild and from incorporating wild stock from Oklahoma to be included into their operations.</p> <p>C.S. 29 § 5-103. "All wildlife or domesticated animals hunted for sport commercially propagated or transported into this state may be liberated into the wild subject to rules and regulations of the Commission."</p> <p>The intent of this section is to allow commercially raised upland birds to be released into the wild for "put-and-take" hunting situations, and to allow the operation of Commercial Hunting Areas. Key words are "hunted for sport" and "commercially</p>

Table 1 Part A Continued

JURISDICTION	EXPORT REQUIREMENTS	IMPORT REQUIREMENTS	RELEASE REQUIREMENTS
Oklahoma (cont'd)		<p>Authorities are as follows: Oklahoma Statutes 29 § 7-602: "General prohibition against transporting wildlife; exceptions. A. Except as otherwise provided by law, no person may ship into or out of, have in possession with the intent to so transport, or cause to be removed from this state: 1. Any wildlife or parts thereof; 2. Any endangered or threatened species. B. Exceptions to 1 of subsection A of this section: 4. Any fish or wildlife lawfully bred or propagated may be shipped or transported within the confines of this state or exported out of this state. 5. Any wildlife for which the Director has given an individual specific written authority for its transportation into or out of the state."</p> <p>Commission Regulation OAC 800:25-23-2. (a) "Anyone shipping or otherwise transporting wildlife into or out of the State of Oklahoma must first apply for authorization on forms prescribed [by] the Department. A fee will be charged to cover the costs of processing and handling the issuance of the permit."</p>	<p>propagated or transported into the state." Since swift fox would not be imported in the state for sport hunting, it is doubtful that this section of O.S. 29 could be used to allow their release into the wild.</p> <p>Continued in Part B.</p>
135  South Dakota See attachment 5.	<p>Permit required from secretaries of SD Departments of Agriculture and Game, Fish and Parks. Application should be submitted in writing to Secretary, SD Department of Game, Fish and Parks, Pierre, SD.</p> <p>Authorities: SDCL § 34A-8-8, dealing with permitted activities. SDCL § 34A-8-10, dealing with importation, possession, and sale. SDCL § 34A-8-11, dealing with permits for capture or destruction of wildlife to protect life or property.</p>	<p>See export requirements column.</p> <p>Continued in Part B.</p>	<p>See export requirements column.</p> <p>Continued in Part B.</p>



Table 1 Part A Continued

JURISDICTION	EXPORT REQUIREMENTS	IMPORT REQUIREMENTS	RELEASE REQUIREMENTS
Texas	<p>Written authorization shall be obtained from the Texas Parks and Wildlife Department (TPW) prior to sale or export of live fur-bearing animals to persons outside of Texas. Applicants shall provide written verification that recipients of live fur-bearing animals have complied with applicable regulations in the destination state. A copy of the import permit or export authorization must accompany any live fur-bearing animal being imported or exported. Each shipment must be accompanied by a health certificate signed by a veterinarian accredited in the state of origin and if the imported animals foxes a signed letter of authorization issued by the Texas Department of Health.</p> <p>Imported live fur-bearing animals and live fur-bearing animals previously held in captivity may not be released into the wild in this state.</p>	<p>Importation of fur-bearing animals or their pelts into Texas from another country is prohibited without first completing the import documentation required by the United States Fish and Wildlife Service and U.S. Customs Service. No person may import live fur-bearing animals taken from the wild into Texas from another state or country without a permit. An importation permit will only be issued to licensed fur propagators. Texas Statute §65.378 "Importation and Release of Fur-bearing Animals or Their Pelts" states that:</p> <p>(a) No person may import live fur-bearing mammals into this state from another state or country unless: (1) a permit has been issued by the department for such importation and a copy of the completed permit accompanies any live fur-bearing animal being imported or is attached to any container used to import live fur-bearing animals; (2) the imported animals are accompanied by a health certificate signed by a veterinarian accredited in the state of origin; and (3) if the imported animals are foxes, raccoons, or skunks, a signed letter of authorization issued by the Texas Department of Health.</p> <p>(b) Imported live fur-bearing animals, live fur-bearing animals previously held in captivity, and fur-bearing animals live-trapped as nuisances may not be released into the wild without a letter of authorization from the wildlife division and the owner of the property where the release occurs. Animals released under provision of this subsection must be accounted for in a report filed with the department on or before the tenth day of the month following the month of release. The report shall list the species, number captured and released, date and location of capture, date and location of release, and name and address of person authorized to release.</p>	<p>See part (b) under Import Requirements.</p> <p>Continued in Part B.</p>

Table 1 Part A Continued

JURISDICTION	EXPORT REQUIREMENTS	IMPORT REQUIREMENTS	RELEASE REQUIREMENTS
Wyoming	Chapter 33 Permit – include regulations; Chapter 33 and 52. Permit obtained through the local game warden and regional supervisor.	Permit to Import and Possess – include Chapter 10 Regs. Permit obtained through the local game warden and regional supervisor.	Must comply with Chapter 10 requirements. Permit obtained through the local game warden and regional supervisor.
Bureau of Land Management (BLM)	BLM has no regulatory authority over trapping and transplanting of wildlife. We recognize the states' authority over species and population management. However, we do coordinate with the states per state-level Memorandums of Understanding with respect to reintroduction, transplants, etc. Our overall policy regarding reintroduction, transplants, and augmentation is located in BLM Manual 1745. We are currently updating this manual.	If swift fox occurred historically in the area and are being reintroduced or augmented, then no permit is required. If the animal is new to the area, we would need to evaluate potential effect on BLM resources. We do want some coordination to occur. Occasionally, APHIS-WS conducts predator control on BLM lands so it would be important to know where this activity is occurring and the techniques being employed so as to minimize impacts (potential) to the fox.	Continued in Part B.  No permit or authorization is required, only coordination between the action agency and the local BLM field office. As mentioned earlier, if the fox was being transplanted into areas where it historically did not occur, then we (BLM) may need to complete an environmental analysis.  Continued in Part B.
National Park Service (NPS). See attachment 6.	As a candidate species, swift fox receives less protection than those listed under the ESA. However, NPS policy is to try to treat candidate species as listed species whenever possible. The capture and transportation of swift fox from NPS lands would need to be authorized by the donating NPS unit. Such captures would need to conform to NPS guidance addressing native wildlife and/or listed species. The attached excerpts from NPS77 (especially item #4) explain when it is appropriate to undertake capture and relocation of wildlife from NPS lands. If the species is listed as endangered or threatened, there are additional requirements for capture and relocation, including obtaining appropriate FWS permits, being consistent with approved recovery plans, and consistency with item #1 of the NPS77 excerpts. A permit for removal would require a request from the State or other entity to the Park Supervisor with an explanation as to why the translocation is needed and appropriate for the NPS to agree to.	See export requirements column.	See export requirements column. In addition, an EA or EIS may be required.  See Part B.

Table 1 Part A Continued

JURISDICTION	EXPORT REQUIREMENTS	IMPORT REQUIREMENTS	RELEASE REQUIREMENTS
USDA-Wildlife Services (USDA-W'S)	No requirements. However, our personnel will assist in complying with fulfilling permitting requirements for other countries or between states for cost.	See export requirements column.	See export requirements column.  Continued in Part B.
U.S. Fish and Wildlife Service (jurisdiction U.S., North Dakota Border Stations) See attachment 7.	As a Wildlife Inspector, I deal with imports/exports of wildlife only. If exported from U.S., exporter would require filing of Form 3-177 (16USC 1538; 50CFR 14.63); if commercial - USFWS I/E License (50 CFR 14.91); and marking requirements need to be met (50CFR 14.81). If live, provide copies of health certificates and meet humane transport conditions 50CFR, subpart J. Applicant must provide documentation from state proving lawful take. Contact USFWS for specific procedures.	File 3-177 (50CFR 14.63); license if commercial (50CFR 14.91); marking requirements (50CFR 14.81) and any required export permits from exporting country (Lacey Act 16USC 372 (a)(2). Contact USFWS for specific procedures.	Would be dependent on the state. If a state import permit is required, then we need to collect a copy of it at time of import. Contact state wildlife agency for specific procedures.  Continued in Part B.
Alberta, Canada 20	1. A Research Permit could authorize possession (Section 81 and 82 of the Wildlife Regulation AR 143/97); 2. A Collection Licence would authorize the capture (Sections 46 and 47 of the Wildlife Regulation AR 143/97); 3. An Export Permit is needed to authorize export from Alberta (Sections 70 and 71 of the Wildlife Regulation AR 143/97).  An export permit may be obtained on application. However, swift fox are endangered animals by classification thus the procedure would be to obtain the three authorities listed above in that order.	An Import Permit (Sections 68 and 69 of the Wildlife Regulation AR 143/97). Note that the import permit offers the opportunity to import live animals without necessarily holding other permits if it is issued to a non-resident (5.68(1)(b)); however, if release is intended, additional authority is required.  Contact with the Director of our Fisheries and Wildlife Management Division is recommended. However, an import permit is obtainable at any of our District offices.	Written authorization of our department Minister (Section 60 of the Wildlife Act SA 1984 c.w-9.1). This authority has been delegated to the Director of Fisheries and Wildlife Management Division, who can grant the written authorization.  Application to the Director of Fisheries and Wildlife Management Division is required.  Continued in Part B.

Table 1 Part A Continued

JURISDICTION	EXPORT REQUIREMENTS	IMPORT REQUIREMENTS	RELEASE REQUIREMENTS
Saskatchewan, Canada	"Licence for propagation, rehabilitation and scientific purposes" Sec. 21(1) of The Wildlife Act, 1997; the Director of Fish and Wildlife may issue a licence for purposes of propagation, reintroduction, etc. The Director has authority to cancel, amend or suspend the licence. Applicant should contact Fish and Wildlife Branch, Department of Environment and Resource Management.	Same authority as described for export requirements.  Swift fox is listed as an endangered species under the SK Wildlife Act. Export and import of swift fox are prohibited. It could be approved by the Director under authority of export requirements and proof to show it was legally acquired in another province or country. Applicant should contact Fish and Wildlife Branch, Department of Environment and Resource Management.	No additional permit required.  Continued in Part B.
Canada	No federal permit required. Covered by the Alberta Wildlife Act. Maybe only federal permit is one that Agriculture Canada may get involved with. Contact Alberta Fish and Wildlife.	No federal permit required. Importation is also a provincial matter. Contact Alberta Fish and Wildlife.	No federal permit required. Contact Alberta Fish and Wildlife.  Continued in Part B.

Table 1 Part B

JURISDICTION	TIME TO OBTAIN PERMITS	ADDITIONAL PERMITS NEEDED	ADDITIONAL PERMITS CONTACT	ADDITIONAL COMMENTS OR CONCERNS	QUESTIONNAIRE CONTACT
Colorado	30 days	None.	Colorado Division of Wildlife		Rick Kahn Wildlife Management Supervisor Colorado Division of Wildlife 317 W Prospect Road Fort Collins, CO 80526 phone: 970-472-4342
Kansas	unknown	See import requirements column.	Kansas Department of Health: Debra Duncan, phone 785-296-2326.  Kansas Department of Wildlife and Parks: Sheilla Kemmis, Fish and Wildlife Division, phone: 315-672-5911.	We have many loopholes and pitfalls and will be addressing regulatory changes to restrict import and export of furbearers. This may be addressed in 2000.	Christiane Roy Wildlife Biologist, Furbearer Program Kansas Dept. of Wildlife and Parks 1830 Merchant Box 1525 Emporia, KS 66801-1525 phone: 316-342-0558 ext. 202
Montana 140	Export: 2-6 months, depending on documentation to justify capture. Import: 6-8 months for planning documents and Commission approval. Release: 6-18 months for planning documents and Commission approval.	Health certificate likely required (rabies, mange, parvo, etc.) (81-2-703). Some type of state inspection.	Health certificate: Montana Dept. of Public Health and Human Services. State inspection: Montana Dept. of Livestock.	Requirements are not very stringent but do require FWP Commission approval and FWP oversight.	Brian Giddings State Furbearer Coordinator Montana Fish, Wildlife and Parks PO Box 200701 Helena, MT 59620-0701 phone: 406-444-0042

Table 1 Part B Continued

JURISDICTION	TIME TO OBTAIN PERMITS	ADDITIONAL PERMITS NEEDED	ADDITIONAL PERMITS CONTACT	ADDITIONAL COMMENTS OR CONCERNS	QUESTIONNAIRE CONTACT
New Mexico	Issuance of a scientific/Educational permit (administered by the Endangered Species Program) is normally issued within two weeks or less; however, it may take as long as six weeks. Issuance of importation permits (administered by Law Enforcement Division) may take 2-8 weeks depending on the complexity of the request.	No health certificates are required for taking swift foxes from the wild for export purposes out of New Mexico. To import and release swift foxes in New Mexico, all conditions on applications must be met, which includes disease testing (Importation of Live Animals, Birds, and Fish; 19 NMAC 31.1).	Chief of Law Enforcement New Mexico Department of Game and Fish PO Box 25112 Santa Fe, New Mexico 87504	The current status of the swift fox in New Mexico is thought to be sufficiently secure that release into the wild is not necessary. If recovery of swift foxes in adjacent areas of their historic range (outside of New Mexico) would be advanced by live-capture of New Mexico specimens of swift foxes for potential release in areas of extirpation, the New Mexico Dept. of Game and Fish would cooperate with the Swift Fox Conservation Team and appropriate state and federal wildlife and conservation agencies.	Dan Brooks Assistant Chief of Law Enforcement New Mexico Dept. of Game and Fish  and  C. Gregory Schmitt Endangered Species Program New Mexico Dept. of Game and Fish PO Box 25112 Santa Fe, NM 87504 phone: 505-827-9925
North Dakota		State Board of Animal Health permit required to propagate, domesticate, or possess protected wildlife under NDCC § 20.1-03-12(13).	ND State Board of Animal Health Bismarck, ND		Steve Allen Furbearer Supervisor North Dakota Game and Fish Department 100 N. Bismarck Expressway Bismarck, ND 58501 phone: 701-328-6338

Table 1 Part B Continued

JURISDICTION	TIME TO OBTAIN PERMITS	ADDITIONAL PERMITS NEEDED	ADDITIONAL PERMITS CONTACT	ADDITIONAL COMMENTS OR CONCERNS	QUESTIONNAIRE CONTACT
Oklahoma	About 48 hours to obtain import permit, if paperwork is in order. Two to four weeks to obtain a breeders permit. See import requirements column for procedures.	Health certificates on import must come from the issuing state.	None.	It is our agency's policy to not translocate animals into areas where they currently occur. Swift fox are present throughout their historical range in Oklahoma. Abundance throughout the historic range would need to be determined before augmentation of swift fox populations would be considered.	Julianne Whitaker Hoagland Nongame Wildlife Biologist Oklahoma Dept. of Wildlife Conservation 1801 N. Lincoln Blvd. Oklahoma City, OK 73105 phone: 405-522-0189
South Dakota	Recommended time 2-3 months.	Health certificate prior to importation, certifying that the animal is "free from all contagious, infectious, epidemic or communicable disease, and from infestation of destructive parasites and does not originate from a district of quarantine, infestation or infection, and that it has been inspected within a period of not more than thirty days prior to the arrival of such stock." SDCL § 40-14-2. Free entry permit required from SD Animal Industry Board to import	Sam Holland, DVM, State Veterinarian SD Animal Industry Board 411 S. Fort Street Pierre, SD 57501 phone: 605-773-3321	The SD Game, Fish and Parks Department is required by state law to restore species listed on the state or federal threatened or endangered species list. Our agency will consider applications for reintroduction based on biological considerations for South Dakota's swift fox population and the species as a whole. We will also consider potential conflicts with surrounding landowners in an application for a state endangered species permit.	Eileen Dowd Stukel Wildlife Diversity Coordinator SD Game, Fish and Parks Department 523 E. Capitol Pierre, SD 57501 phone: 605-773-4229

Table 1 Part B Continued

JURISDICTION	TIME TO OBTAIN PERMITS	ADDITIONAL PERMITS NEEDED	ADDITIONAL PERMITS CONTACT	ADDITIONAL COMMENTS OR CONCERNS	QUESTIONNAIRE CONTACT
South Dakota (cont'd)		non-domestic animals. This permit may be granted by telephone. A possession permit may also be required. Permit authorities are SD Animal Industry Board regulations (ARSD Chapter 12-68:18).			
Texas	None.	See Parts (a) and (b) under Import Requirements; also, for the newest information on laws regulating taking of fur-bearers, and import and export permits in the Panhandle contact : Trent Anderson, Captain Law Enforcement Division 203 West 8 <sup>th</sup> Street, Suite 200 Amarillo TX, 79101 phone: 806-379-8900		New sections are adopted under: Texas Parks and Wildlife Code, Chapter 71, provides the Texas Game Commission with authority to regulate the taking, possession, propagation, transportation, exportation, importation, and sale of all fur-bearing animals, including swift fox. In Texas "fur-bearing animals" include: badgers, beavers, fox, mink, muskrat, nutria, opossum, otter, raccoon, ring-tailed cat, skunk, and civet cat. Coyotes and bobcats are not classed as fur-bearing animals and are not subject to these regulations, but are subject to tagging requirements and rabies quarantine.	Dr. Robert M. Sullivan Wildlife Diversity Biologist, Panhandle Region I Texas Parks and Wildlife Department Canyon, TX 79015 phone: 806-655-3782  and  Dr. Paul B. Robertson State Mammalogist Texas Parks and Wildlife Department 3000 S. IH 35 Suite 100 Austin, TX 78704 phone: 512-912-7044



Table 1 Part B Continued

Texas (cont'd)

Continuation of additional comments or concerns:

Reporting Requirements Are Covered by Texas Statute §65.379: (a) Any person licensed as a retail fur buyer or wholesale fur dealer must complete and file an appropriate annual report with the department by May 31 of each year. (b) Any person licensed as a fur-bearing animal propagator must complete and file an appropriate annual report with the department by August 31 of each year. (c) The department reserves the right to refuse permit issuance to any person not in compliance with this section.

Possession of Live Fur-bearing Animals Is Covered by Texas Statute §65.376: (a) No person other than the holder of a fur-bearing animal propagation license may possess a live fur-bearing animal at any time, except as otherwise provided in this chapter. (b) A propagation license may be issued following an initial facility inspection by the department. Additional inspections may be made at department discretion. For persons not engaged in selling or trading fur-bearing animals, there is no initial facility inspection; however, inspections may be performed at the discretion of the department. (c) The holder of a fur-bearing animal propagation license shall provide the following for each animal in possession: (1) a sufficient supply of fresh water at all times; (2) shelter from heat and inclement weather; and (3) an enclosure of at least 20 inches in height and eight square feet in area. Enclosures shall be cleaned daily; (d) offspring of fur-bearing animals held under a propagation permit may be kept with their parents or siblings for up to 120 days from birth in an enclosure meeting the height and area requirements for a single animal. (e) Nothing in this subchapter shall prohibit a taxidermist from possessing for taxidermy purposes a fur-bearing animal or the pelt of a fur-bearing animal lawfully taken or possessed under this subchapter, provided the animal or pelt is accompanied by a wildlife resource document as prescribed by Subchapter A of this chapter. (f) Live fur-bearing animals may be taken and possessed for three days or less for instructional or demonstration purposes pursuant to a letter of authorization from the Wildlife Division.

Sale or Purchase of Fur-bearing Animals or Their Pelts Are Covered by Texas Statute §65.377:

(a) No person other than licensed trappers, retail fur buyers, wholesale fur dealers, or fur-bearing animal propagators may sell fur-bearing animals or the pelts of fur-bearing animals, and no person other than licensed retail fur buyers, wholesale fur dealers or fur-bearing animal propagators may purchase fur-bearing animals or their pelts. (b) Live fur-bearing animals may be sold only: (1) by persons who hold a valid fur-bearing animal propagation license; or (2) to persons authorized by permits issued under Parks and Wildlife Code, Chapter 43, Subchapter C, or another licensed fur-bearing animal propagator. (c) No person shall sell or export live fur-bearing animals outside this state without possessing a letter of authorization from the wildlife division. A request for authorization shall include written documentation verifying that the recipient of the live animals is in compliance with applicable regulations in the destination state. A copy of the completed authorization shall accompany the animals at all times during shipment or be attached to the shipping container used to export the animals.

Persons violating laws involving fish and wildlife may be fined; charged restitution cost of illegally possessed fish and wildlife; and be subject to license suspension or revocation. Subsequent violations may result in jail terms. Each fur-bearing animal taken or possessed in violation of these general laws is a separate offense. The Texas Department of Health and local public health agencies may take and possess, for analysis and disposal, any fur-bearing animal posing a potential or known health hazard. Anyone may transport a suspected diseased fur-bearing animal to a public health facility for diagnosis

Rabies Quarantine: It is a Class C misdemeanor to transport live foxes, coyotes and raccoons from, to, or within this state. For additional information, please contact the Zoonosis Control Division of the Texas Department of Health at (512) 458-7255. [WWW.tpwd.state.tx.us](http://WWW.tpwd.state.tx.us)

Table 1 Part B Continued

JURISDICTION	TIME TO OBTAIN PERMITS	ADDITIONAL PERMITS NEEDED	ADDITIONAL PERMITS CONTACT	ADDITIONAL COMMENTS OR CONCERNS	QUESTIONNAIRE CONTACT
Wyoming	One to two weeks.	Health certificate prior to importation.	N/A	Has been taking place from Wyoming to Canada for some time.	Russ Pollard Wildlife Law Enforcement Coordinator Wyoming Game and Fish Department 5400 Bishop Boulevard Cheyenne, WY 82006
Bureau of Land Management (BLM)	N/A unless proposing to transplant into previously unoccupied area (i.e., transplant new species into nonhistoric habitat), then we would probably want to conduct some type of environmental analysis. The time to conduct these is variable but would likely require 3-6 months notice. Again, this activity should be coordinated with the local BLM office and the state wildlife management agency.	N/A	N/A	As noted earlier, animal damage control activities can occur on BLM lands. To minimize impacts to swift fox, it would be prudent to coordinate all transplant activities with the local BLM office and USDA-Wildlife Services.	Cal McCluskey Senior Wildlife Biologist USDI-Bureau of Land Management Idaho State Office 1387 S Vinnell Way Boise, ID 83709-1657 phone: 208-373-4042
National Park Service (NPS)	Variable	If listed, approval from the FWS would be required.			Loyal A. Mehrhoff Threatened and Endangered Species Coordinator National Park Service 1201 Oak Ridge Drive, Suite 200 Fort Collins, CO 80525 phone: 970-225-3521

Table 1 Part B Continued

JURISDICTION	TIME TO OBTAIN PERMITS	ADDITIONAL PERMITS NEEDED	ADDITIONAL PERMITS CONTACT	ADDITIONAL COMMENTS OR CONCERNS	QUESTIONNAIRE CONTACT
USDA-Wildlife Services (USDA-WS)	N/A	See export requirements column.	USDA-APHIS-Veterinary Services. If the importing country requires certificates relating to animal health we will do all testing for the permits for a fee.	Our primary role is cooperative assistance to test animals and fill out health information. We (USDA-APHIS-WS) can also assist in capture and release activities.	Rick Wadleigh USDA-APHIS-WS National Environmental Compliance Manager 12345 W. Alameda Parkway #204 Lakewood, CO 80228 phone: 303-969-6565 ext. 232
U.S. Fish and Wildlife Service (jurisdiction U.S., North Dakota Border Stations)	30 days to obtain I/E license. Form 3-177 filed at time of export/import with USCS.	50CFR 14.52(c)(5)	U.S. Department of Agriculture Agriculture Canada	I am supplying you with Part 14 of the Code of Federal Regulations (CFR) for your review/comments. Please call me if you have questions for clarification.	Scott Peltier Wildlife Inspector U.S. Fish and Wildlife Service Division of Law Enforcement RR 1, Box 115 Dunseith, ND 58329 phone: 701-263-4462
Alberta, Canada	Because of the endangered status of swift fox, application with clear descriptions of the intended project should be made at least 2 months in advance for a research permit/collection license or import permit. Release to the wild requires the additional written authorization, so if this were intended the application should be made well in advance as well (this intention should be made known at the outset).	Health certification is not specified in law but is required under the authority of the Wildlife Act, SA 1984 c.w.-9.1, section 16(2).	Dr. Margo Pybus Wildlife Disease Specialist 7 <sup>th</sup> Floor, O.S. Longman Building 5909-116 Street Edmonton, Alberta T6H 4P2 phone: 780-427-3462 FAX: 780-422-9685	In Alberta, other authorities exist that can authorize the possession of swift fox (i.e., a zoo permit) however, different rules apply to those authorities. We have an ongoing Swift Fox Recovery Program. In the past when we chose animals for reintroduction, we sought only specimens from the closest healthy populations, to optimize theoretical genetics similarities in relation to the original Alberta population. For more information on the Alberta Swift Fox Recovery Program, contact: Steve Brechtel Provincial Nongame Specialist 7 <sup>th</sup> Floor, O.S. Longman Building	Pat Dunford Regulations Officer Natural Resources Service Alberta Environment 9915-108 Street Edmonton, Alberta T5K 2G8 phone: 780-427-4277 FAX: 780-422-9560

Table 1 Part B Continued

JURISDICTION	TIME TO OBTAIN PERMITS	ADDITIONAL PERMITS NEEDED	ADDITIONAL PERMITS CONTACT	ADDITIONAL COMMENTS OR CONCERNS	QUESTIONNAIRE CONTACT
Alberta (cont'd)				6909-116 Street Edmonton, Alberta T6H 4P2 phone: 780-422-9535 FAX: 780-422-9685	
Saskatchewan, Canada	2-3 days	Permit required under the authority of the Health of Animals Act and Regulations of Canada for importing into the country/province.	Agriculture and Agri-Food Canada	The Canadian reintroduction program has established a core population of an estimated 179-412 swift foxes. The program produced some organizational stress and problems for the recovery team. It did receive positive publicity (media and landowners).	Earl Wiltse Provincial Endangered Species Specialist Fish and Wildlife Branch Saskatchewan Environment and Resource Management 3211 Albert Street Regina SK S4S 5W6
Canada 147	Uncertain	Contact the Canadian Dept. of Agriculture either in Calgary or Edmonton, Alberta.	Canada Agriculture Animal Health J. G. O'Donoghue Building 205 7000 113 Street Edmonton, Alberta T6H 5T6 phone: 780-495-3333		Wayne Spencer Wildlife Enforcement Coordinator Environmental Protection Branch Wildlife Enforcement Division Environment Canada Room 200 2 <sup>nd</sup> Floor Edmonton, Alberta T6B 2X3 phone: 780-951-8749

ATTACHMENT 1 - COLORADO

(b) Whether the acquisition results in the establishment of additional habitat or in the potential for additional habitat through the use of habitat management methods;

(c) Whether the acquisition will improve access to other public lands;

(d) Whether additional wildlife-oriented recreational opportunities will result from the acquisition;

(e) The size and location of the property, including the proximity of the property to other property controlled by the division; and

(f) Such other criteria as the commission may establish.

(6) Prior to acceptance of proposals by the commission, said proposals shall be reviewed by boards of commissioners of counties with lands included in the proposals.

(7) The commission may decide not to use the bid process established in this section when the property being purchased is located in such proximity to property controlled by the division that, in the judgment of the commission, the bid process would not be effective, or when the property to be purchased is being purchased through foreclosure, receivership, or auction, or when the property is being purchased from another governmental entity. In the event that the bid process is used, the purchase of any fee title interest in real property shall be effected by the general assembly acting by bill.

(8) The commission may adopt such rules as are necessary to implement the acquisition process established in this section.

(9) The commission shall include in its annual report, which report shall be submitted to the capital development committee and to the agriculture, stock, and natural resources committee of the house of representatives and the agriculture, natural resources, and energy committee of the senate, a listing of all acquisitions of real property made pursuant to the provisions of this section. The report shall describe all property acquired since July 1, 1992, the acquisition of each such property, and the appraised value of each such property, and shall contain a description of all pending property acquisitions. •

(10) This section is repealed, effective March 15, 1995.

**33-1-106. Authority to regulate taking, possession, and use of wildlife.** In order to provide an adequate, flexible, and coordinated statewide system of wildlife management and to maintain adequate and proper populations of

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wildlife species, the commission shall have authority in this state, by appropriate rules and regulations, to:

(a) Determine under what circumstances, when, in which localities, by what means, what sex of, and in what amounts and numbers the wildlife of this state may be taken and, further, to shorten, extend, or close seasons on any species of wildlife in any specific locality or the entire state when it finds after investigation that such action is necessary to assure maintenance of adequate populations of wildlife or to preserve the proper ecological balance of the environment. In no event, however, shall the commission adopt any regulation concerning the taking of black bears which is in conflict with the provisions of section 33-4-101.3.

(b) Provide for the disposal of the usable portions of wildlife confiscated, abandoned, or unclaimed at meat processing and storage facilities or by taxidermists or otherwise obtained under the provisions of articles 1 to 6 of this title;

(c) Control the exportation, importation, transportation, release, possession, sale, transfer, and donation of wildlife;

(d) Establish requirements for persons who are engaged in the business of buying, selling, processing, or otherwise handling wildlife for the keeping of records of such transactions and to make such records available for inspection;

(e) Provide for the issuance of and require persons to obtain licenses for the purpose of hunting, fishing, trapping, taking, or possession of wildlife in accordance with the provisions of articles 1 to 6 of this title and the rules and regulations adopted pursuant thereto.

(f) Authorize fishing without a license on a statewide basis for up to two days during the calendar year.

(2) The commission shall adopt rules which regulate the conduct of fishing contests in public waters of the state. Such rules may prohibit the holding of such a contest on specific waters and at specific times of the year, but such rules shall not unreasonably restrict persons conducting such a contest from charging an entry fee, awarding prizes to participants, or using marked or tagged fish.

(3) (a) The state agricultural commission shall review the regulations concerning captive wild ungulates submitted by the division and make recommendations to the wildlife commission concerning such regulations. The wildlife commission shall not pass nor implement regulations concerning captive wild ungulates without the approval of the state agricultural commission. If the

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Source or prior law: 32-322

32-950. Same; judicial review of actions against license. Any action of the secretary pursuant to K.S.A. 1989 Supp. 32-949 is subject to review in accordance with the act for judicial review and civil enforcement of agency actions upon the petitioner's filing, with the clerk of the reviewing court, a bond with two or more sufficient sureties, conditioned on the payment of all costs of the review if the decision of the secretary is sustained.

History: L. 1955, ch. 230, sec. 13; L. 1966, ch. 318, sec. 27; L. 1989, ch. 118, sec. 81; July 1,

Source or prior law: 32-323

32-351. Game breeder permit. (a) Except as provided further, a game breeder permit is required to engage in the business of raising and selling game birds, game animals, furbearing animals or such other wildlife as required by rule and regulations adopted by the secretary in accordance with the K.S.A. 1992 Supp. 32-805 and amendments thereto.

(b) Any person who desires to engage in the business described in subsection (a) may apply to the secretary for a game breeder permit. The application shall give the name and residence of the applicant, the description of the premises, the number and kind of birds or animals which it is proposed to propagate and any other information required by the secretary. The fee prescribed pursuant to K.S.A. 1992 Supp. 32-988 and amendments thereto shall accompany the application.

(c) If the secretary determines that the application is made in good faith and that the premises are suitable for engaging in the business described in subsection (a), the secretary may issue such permit. The permit shall expire on June 30 of each year.

(d) Game breeders shall make such reports of their activities to the secretary as required by rules and regulations adopted by the secretary in accordance with K.S.A. 1992 Supp. 32-805 and amendments thereto. In addition to any other penalty prescribed by law, failure to make such report or to comply with the laws of the state of Kansas or rules and regulations of the secretary shall be grounds for the secretary to refuse to issue, refuse to renew, suspend or revoke such permit.

(e) The secretary shall adopt, in accordance with K.S.A. 1992 Supp. 32-805 and amendments thereto, such rules and regulations as necessary to implement the provisions of this section.

(f) Any person who is engaged in the business of raising domesticated deer shall not be required to have a game breeder permit as required by this section. As used in this section,

"Domesticated deer" means any member of the family cervidae which was legally obtained and is being sold or raised in a confined area for breeding stock, for any carcass, skin or part of such animal, for exhibition, or for companionship.

(g) The secretary, on a quarterly basis, shall transmit to the livestock commissioner a current list of persons issued a game breeder permit issued pursuant to this section who are raising or selling any member of the family cervidae.

History: L. 1943, ch. 171, sec. 4; L. 1978, ch. 152, sec. 7; L. 1987, ch. 138, sec. 3; L. 1989, ch. 118, sec. 82; L. 1991, ch. 106, sec. 1; L. 1991, ch. 143, sec. 4; July 1,

Source or prior law: 32-124, 32-125, 32-159

32-352. Scientific, educational or exhibition permit. (a) A scientific, educational or exhibition permit is required to collect, for scientific, educational or exhibition purposes, any wildlife protected by law or rules and regulations of the secretary.

(b) Any person who desires to engage in any activity described in subsection (a) shall apply to the secretary for a scientific, educational or exhibition permit. The fee prescribed pursuant to K.S.A. 1989 Supp. 32-988 shall accompany the application. Upon receipt of the application and

fee, the secretary may issue to the applicant a scientific, educational or exhibition permit to collect specimens of wildlife protected by law or rules and regulations of the secretary, subject to rules and regulations adopted by the secretary in accordance with K.S.A. 1989 Supp. 32-805 and amendments thereto.

(c) Wildlife protected by law or rules and regulations of the secretary may be possessed at any time by a person holding a scientific, educational or exhibition permit and may be shipped or transported within or without the state, by permission of the secretary. Application for shipment or transportation shall state the name and address of the person causing the shipping or transporting, the purposes for shipping or transporting, the number and kinds of specimens to be shipped, whether living or dead, and the name and address of the person to whom shipped or transported.

(d) The secretary shall adopt, in accordance with K.S.A. 1989 Supp. 32-805 and amendments thereto, such rules and regulations as necessary to implement this section.

History: L. 1911, ch. 198, sec. 25; L. 1913, ch. 199, sec. 4; L. 1921, ch. 196, sec. 1; R.S. 1923, 32-123; L. 1976, ch. 152, sec. 5; L. 1989, ch. 118, sec. 83; July,

Source or prior law: L. 1897, ch. 135, sec. 4; 32-123

32-953. Rehabilitation permit. (a) Except as otherwise provided by law or rules and regulations of the secretary, a rehabilitation permit is required to perform wildlife rehabilitation services.

(b) The provisions of subsection (a) do not apply to a licensed veterinarian.

(c) Any person who desires to perform wildlife rehabilitation services may apply to the secretary for a rehabilitation permit. The fee prescribed pursuant to K.S.A. 1989 Supp. 32-988 shall accompany the application. If the secretary determines that the applicant possesses adequate facilities for and knowledge of wildlife rehabilitation, the secretary may issue a rehabilitation permit under such terms as the secretary considers necessary.

(d) The secretary shall adopt, in accordance with K.S.A. 1989 Supp. 32-805 and amendments thereto, such rules and regulations as necessary to implement the provisions of this section.

History: L. 1989, ch. 118, sec. 84; July 1.

32-954. Field trial permit or commercial dog training permit. (a) A field trial permit or commercial dog training permit is required to use wild or pen-raised game birds, game animals, coyotes, furbearing animals or other wildlife in a field trial or in training dogs on a commercial basis.

(b) Any person who desires to engage in any activity described in subsection (a) may apply to the secretary for a field trial permit or commercial dog training permit. The fee prescribed pursuant to K.S.A. 1989 Supp. 32-988 shall accompany the application. Upon receipt of the application and fee, the secretary may issue the requested permit to the applicant.

(c) Unless otherwise provided by law or rules and regulations of the secretary, a field trial permit or commercial dog training permit is valid from the date issued and expires on December 31 of the year of its issuance.

(d) The secretary shall adopt, in accordance with K.S.A. 1989 Supp. 32-805 and amendments thereto, such rules and regulations as necessary to implement this section. The secretary may, in accordance with K.S.A. 1989 Supp. 32-805 and amendments thereto, rules and regulations for the use of wild or pen-raised game birds, game animals, coyotes, furbearing animals or other wildlife in field trials and in training dogs, establishing conditions and

regulating such use and providing for the hunting, shooting and taking of banded pen-raised game birds for a certain time on a specified area by a dog trainer or by participants in a field trial, as authorized by a recognized group.

115-5-2. Furbearers and coyotes; possession, disposal and general provisions. (a) Raw furs, pelts or skins of furbearers may be possessed for the shorter of the following time periods:

(1) not more than 30 days following the closing of the season in which that species of furbearer may legally be taken; or

(2) until the day prior to the beginning of the running season in which that species of furbearer may legally be taken.

(b) Requests to possess raw furs, pelts or skins beyond the possession period as specified in subsection (a) shall be submitted to the department and, if granted, shall be authorized in writing by the secretary. Each request shall specify the number of each species of furbearer possessed and the applicant's name, address and furharvester license number.

(c) Live furbearers legally taken during a furbearer season may be possessed only through the last day of the season in which taken.

(3) Unskinned carcasses of furbearers may be possessed for not more than 48 hours following the closing of the season in which that species of furbearer may legally be taken. Skinned carcasses and meat of furbearers may be possessed without limit in time. Legally acquired skinned carcasses and meat of furbearers may be sold or given to and possessed by another, provided a written notice which includes the seller's or donor's name, address and furharvester license number accompanies the carcass or meat.

(e) Legally taken raw furs, pelts, skins, or carcasses of coyotes or legally taken live coyotes may be possessed without limit in time except as provided in K.A.R. 28-1-14.

(2) Any person in lawful possession of raw furbearing animal or coyote furs, pelts, skins or carcasses may sell or offer for sale or shipment the same to licensed fur dealers or any person legally authorized to purchase raw furbearing animal or coyote furs, pelts, skins or carcasses.

(g) Any bobcat or swift fox pelt legally taken in Kansas may be sold to any fur dealer, or shipped from the state for the purpose of selling if an export tag provided by the department has been affixed to the pelt.

(1) The pelt of any bobcat or swift fox taken in Kansas shall be presented to the department for tagging within 48 hours following closure of the bobcat or swift fox hunting and trapping season.

(2) A pelt presented for tagging shall be accompanied by the furharvester license number under which the pelt was taken.

(h) Bobcat or swift fox pelts tagged by the department may be possessed without limit in time.

(1) Properly licensed persons may legally salvage furbearing animals and coyotes found dead during the established open seasons for hunting or trapping of furbearers or coyotes. Salvaged furbearing animals and coyotes may be possessed or disposed of as authorized by this regulation.



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persons may fish by legal means without having a valid fishing license.

(g) The secretary shall issue an annual institutional group fishing license to each facility operating under the jurisdiction of or licensed by the secretary of social and rehabilitation services and to any veterans administration medical center in the state of Kansas upon application by such facility or center to the secretary of wildlife and parks for such license.

All applications for facilities under the jurisdiction of the secretary of social and rehabilitation services shall be made with the approval of the secretary of social and rehabilitation services and shall provide such information as the secretary of wildlife and parks requires. All applications for any veterans administration medical center shall be made with the approval of the director of such facility and shall provide such information as the secretary of wildlife and parks requires. Persons who have been admitted to and are currently residing at the facility or center, not to exceed 20 at any one time, may fish under an institutional group fishing license within the state while on a group trip, group outing or other group activity which is supervised by the facility or center. Persons fishing under an institutional group fishing license shall not be required to obtain a fishing license but shall be subject to all other laws and to all rules and regulations relating to fishing. The staff personnel of the facility or center supervising the group trip, group outing or other group activity shall have in their possession the institutional license when engaged in supervising any activity requiring the license. Such staff personnel may assist group members in all aspects of their fishing activities.

(h) The secretary may issue a special nonprofit group fishing license to any community, civic or charitable organization which is organized as a not-for-profit corporation, for use by such community, civic or charitable organization for the sole purpose of conducting group fish activities for handicapped or developmentally disabled individuals. All applications for a special nonprofit group fishing license shall be made to the secretary or the secretary's designee and shall provide such information as required by the secretary.

Handicapped or developmentally disabled individuals, not to exceed 20 at any one time, may fish under a special nonprofit group fishing license while on a group trip, outing or activity which is supervised by the community, civic or charitable organization. Individuals fishing under a special nonprofit group fishing license shall not be required to obtain a fishing license but shall be subject to all other laws and rules and regulations relating to fishing.

The staff personnel of the community, civic or charitable organization supervising the group trip, outing or activity shall have in their possession the special nonprofit group fishing license when engaged in supervising any activity requiring the special nonprofit group fishing license. Such staff personnel may assist group members in all aspects of their fishing activity.

History: L. 1985, ch. 129, sec. 1; L. 1988, ch. 131, sec. 1; L. 1989, ch. 118, sec. 55; L. 1995, ch. 164, sec. 2, Apr. 27.

Source or prior law:

32-104, 32-104a, 32-104b, 32-104n, 32-104o, 32-104p, 32-172a, 32-172b, 32-187

32-907 to 32-910. Reserved.

32-911. Furharvester licenses. (a) Except as otherwise provided by law or rules and regulations of the secretary, a valid Kansas furharvester license is required to:

(1) Furharvest in this state; or  
(2) sell, ship or offer for sale or shipment any furbearing animal or its raw fur, pelt, skin or carcass

(b) The provisions of subsection (a)(1) do not apply to furharvesting by:

(1) A person, or a member of a person's immediate family domiciled with such person, on land owned by such person or on land leased or rented by such person for agricultural purposes;

commercial purposes, or  
 (4) purchasing, for personal use or consumption, all or any part of any wildlife protected by this section.

(b) The wildlife protected by this section and the minimum value thereof are as follows:

- (1) Eagles, \$500.
- (2) deer or antelope, \$200.
- (3) elk or buffalo, \$500.
- (4) furbearing animals, \$25.
- (5) wild turkey, \$75.
- (6) owls, hawks, falcons, kites, hammers or ospreys, \$125.
- (7) game birds, migratory game birds, resident and migratory nongame birds, game animals and nongame animals, \$10 unless a higher amount is specified above.
- (8) fish, the value for which shall be no less than the value listed for the appropriate fish species in the monetary values of freshwater fish and fish kill counting guidelines of the American Fisheries Society (special publication number 13).
- (9) turtles, \$8 each for unprocessed turtles or \$6 per pound or fraction of a pound for processed turtle parts.
- (10) bullfrogs, \$2, whether dressed or not dressed.
- (11) any wildlife classified as threatened or endangered, \$200 unless a higher amount is specified above, and
- (12) any other wildlife not listed above, \$5.

(c) Possession of wildlife, in whole or in part, captured or killed in violation of law and having an aggregate value of \$500 or more, as specified in subsection (b), is prima facie evidence of possession for profit or commercial purposes.

(d) Commercialization of wildlife having an aggregate value of \$500 or more, as specified in subsection (b), is a severity level 10, nonperson felony. Commercialization of wildlife having an aggregate value of less than \$500, as specified in subsection (b), is a class A nonperson misdemeanor.

(e) In addition to any other penalty provided by law, a court convicting a person of the crime of commercialization of wildlife may:

- (1) Confiscate all equipment used in the commission of the crime and may revoke for a period of up to 10 years all licenses and permits issued to the convicted person by the Kansas department of wildlife and parks; and
- (2) order restitution to be paid to the Kansas department of wildlife and parks for the wildlife taken, which restitution shall be in an amount not less than the aggregate value of the wildlife, as specified in subsection (b).

(f) The provisions of this section shall apply only to wildlife illegally harvested and possessed by any person having actual knowledge that said wildlife was illegally harvested.

History: L. 1989, ch. 85, sec. 1; L. 1994, ch. 291, sec. 67, July 1

32-1006. Coyotes, moles, gophers. (a) Except as provided by subsection (b), it is lawful for a person to take coyotes in this state at any time if such person holds a valid license to hunt or furharvest, as the case may be. It is lawful for a person to take moles or gophers in this state at any time.

(b) Unless authorized by rules and regulations of the secretary, it is unlawful for any person to take any coyote in this state at any time during the period of time designated by rules and regulations of the secretary as an open season for the hunting or taking of deer by firearm.

History: L. 1978, ch. 151, sec. 2; L. 1985, ch. 133, sec. 1; L. 1989, ch. 118, sec. 117, July 1

Source or prior law: 32-158, 32-158a

bordering on or within the state of Kansas, any deleterious substance or fisherment  
 (f) place or explode any dynamite, giant powder, lime, nitroglycerine or any c  
 any character or kind in any waters of the state of Kansas with the intent to take  
 (g) throw or cast the rays of a spotlight, headlight or other artificial light on a  
 roadway, field, grassland, woodland or forest for the purpose of spotting, locating  
 wildlife, while having in possession or control, either singly or as one of a group  
 rifle, pistol, shotgun, bow or other implement whereby wildlife could be taken, e  
 nothing in this subsection shall be construed to prohibit a person from carrying a  
 using artificial light for conducting surveillance, actively caring for agricultural e  
 livestock or conducting activities described in subsection (c)(2) of K.S.A. 32-10  
 amendments thereto, when on land under the person's control, if the person own  
 lawful possession of such land or is regularly employed for purposes of livestock  
 production or management on such land.  
 History: L. 1972, ch. 160, sec. 1; L. 1981, ch. 175, sec. 6; L. 1985, ch. 118,  
 1993, ch. 185, sec. 10; L. 1997, ch. 77, sec. 1, July 1

Source or prior law:

32-104, 32-135, 32-154b, 32-154c, 32-156, 32-158.

32-1004. Possession of wildlife or certain devices. (a) It is unlawful for an  
 (1) Possess a carcass of a big game animal, taken within this state, unless a  
 the secretary is attached to it, and a check station tag is attached to it if required,  
 or refuse to make such carcass available for inspection by any officer authorized  
 laws of this state or rules and regulations of the secretary.

(2) possess any wildlife unlawfully killed or otherwise unlawfully taken outsi  
 (3) cause to be shipped within, from or into this state any illegally taken or  
 (4) intentionally import into this state, or possess or release in this state, an  
 prohibited pursuant to K.S.A. 1992 Supp. 32-956 and amendments thereto.

(5) refuse to allow any conservation officer or deputy conservation officer  
 enforcement officer to inspect and count any wildlife in such person's possessio  
 (6) refuse to allow any conservation officer or deputy conservation officer  
 enforcement officer to inspect any devices or facilities of such person which are  
 enforcement officer to inspect any devices or facilities of such person which are

possessing, transporting, storing or processing any wildlife subject to the wildli  
 of this state or rules and regulations of the secretary.

(b) The provisions of subsection (a) do not apply to animals sold in surplus  
 sales of department exhibit herds or animals legally taken outside this state.

History: L. 1989, ch. 118, sec. 116; L. 1993, ch. 185, sec. 11, July 1

Source or prior law:

32-112b et seq., 32-127, 32-134, 32-153, 32-164a, 32-179.

32-1005. Commercialization of wildlife. (a) Commercialization of wildli  
 committing any of the following, except as permitted by statute or rules and r  
 (1) Capturing, killing or possessing, for profit or commercial purposes, all  
 wildlife protected by this section.

(2) selling, bartering, purchasing or offering to sell, barter or purchase, for  
 commercial purposes, all or any part of any wildlife protected by this section;  
 (3) shipping, exporting, importing, transporting or carrying, causing to be  
 imported, transported or carried, or delivering or receiving for shipping, expo  
 transporting or carrying all or any part of any wildlife protected by this section

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Source or prior law:

L. 1995, ch. 267, sec. 9, 32-104, 32-104j, 32-105a, 32-106, 32-106a, 32-106b, 32-406, 74-4509b, 74-4509c

**32-1002. Taking or dealing in wildlife.** (a) Unless and except as permitted by law or rules and regulations adopted by the secretary in accordance with K.S.A. 1992 Supp. 32-805 and amendments thereto, it is unlawful for any person to:

- (1) Hunt, fish, furharvest or take any wildlife in this state by any means or manner;
- (2) possess, any wildlife, dead or alive, at any time or in any number, in this state;
- (3) purchase, sell, exchange, ship or offer for sale, exchange or shipment any wildlife in this state;

- (4) take any wildlife in this state for sale, exchange or other commercial purposes;
- (5) possess any seine, trammel net, hoop net, fyke net, fish gig, fish spear, fish trap or other device, contrivance or material for the purpose of taking wildlife; or
- (6) take or use, at any time or in any manner, any game bird, game animal, coyote or furbearing animal, whether pen-raised or wild, in any field trial or for training dogs;

(b) The provisions of subsections (a)(2) and (a)(3) do not apply to animals sold in surplus property disposal sales of department exhibit herds or animals legally taken outside this state, except the provisions of subsection (a)(3) shall apply to:

- (1) The meat of game animals legally taken outside this state; and
  - (2) other restrictions as provided by rule and regulation of the secretary.
- (c) The provisions of this section shall not be construed to prevent:

- (1) Any person from taking starlings or English and European sparrows; or
- (2) owners or legal occupants of land from killing any animals when found in or near buildings on their premises or when destroying property, subject to the following: (A) The provisions of all federal laws and regulations governing protected species and the provisions of K.S.A. 1992 Supp. 32-957 through 32-963,, and rules and regulations adopted thereunder; (B) it is unlawful to use, or possess with intent to use, any such animal so killed unless authorized by rules and regulations of the secretary; and (C) such owners or legal occupants shall make reasonable efforts to alleviate their problems with any such animals before killing them.

**History:** L. 1989, ch. 118, sec. 114; L. 1993, ch. 185, sec. 9; July 1.

Source or prior law:

32-110a, 32-112b et seq., 32-114, 32-120, 32-126, 32-127, 32-152, 32-154a, 32-156, 32-157, 32-158, 32-160, 32-162, 32-163, 32-173, 32-183, 32-186, 32-1,110.

**32-1003. Methods to taking wildlife.** It is unlawful for any person, unless authorized by law or rules and regulations of the secretary, to:

- (a) Take any game animal or furbearing animal from a motorboat, airplane, motor vehicle or other water, air or land vehicle unless such person holds a valid handicapped hunting and fishing permit issued to such person pursuant to K.S.A. 1992 Supp. 32-931 and amendments thereto;
- (b) provide or receive information concerning the location of any game animal or furbearing animal by radio or other mechanical device for purposes of taking such bird or animal;
- (c) use sodium fluoroacetate, commonly called formula 1080, except as permitted by rules and regulations of the secretary;
- (d) use poison, poisonous gas, smoke or ferrets, or any smoke gun or other device for forcing smoke or any other asphyxiating or deadly gas or liquid into the holes, dens, runways or houses of wildlife, except as permitted by rules and regulations of the secretary;
- (e) fish by placing in or upon any lake, pond, river, creek, stream or any other water,

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**9-7-3****KANSAS ANIMAL HEALTH DEPARTMENT**

on special permission of the livestock commissioner.

(d) All breeding swine, regardless of age, shall be tested and found negative for brucellosis and pseudorabies within 30 days of entry, or shall be from a validated brucellosis-free and qualified pseudorabies-free herd as defined in subpart A, general provision of 78.1 and part 85, pseudorabies, sec. 85.1 of the code of federal regulations, as in effect on Jan. 1, 1988, which is hereby adopted by reference. All breeding swine shall be quarantined for 21 to 45 days and shall be retested for brucellosis and pseudorabies.

(e) All feeder swine imported into Kansas shall be held under quarantine until fed out and delivered for slaughter.

(f) Swine importers may prefile a written modified quarantine and/or test requirement plan for approval from the livestock commissioner. (Authorized by K.S.A. 47-607, implementing 47-607 and 47-610 as amended by L. 1989, Ch. 156, Sec. 16; effective Jan. 1, 1966; amended Jan. 1, 1970; amended Jan. 1, 1971; amended Jan. 1, 1974; amended May 1, 1982; amended Feb. 5, 1990.)

**9-7-8. Sheep.** Sheep shall not be imported into Kansas, except for immediate slaughter, unless accompanied by an official health certificate, showing: (1) that they are from a state-federal approved scab free area, or (2) that they have been dipped in an approved dip under veterinary supervision, within thirty (30) days prior to movement into Kansas. (Authorized by K.S.A. 47-607d, 47-610, 47-620; effective Jan. 1, 1966.)

**9-7-9. Dogs.** Dogs shall not be imported into Kansas, unless accompanied by a certificate of health issued by an approved veterinarian, stating:

(a) that such dogs are free from symptoms of any communicable disease;

(b) that such dogs have not been exposed to rabies; and

(c) that such dogs have been vaccinated against rabies with a product licensed by the U.S.D.A. and the duration of immunity and method of administration be in accordance with manufacturer's guidelines. Dogs under three (3) months of age need not be vaccinated against rabies. (Authorized by K.S.A. 47-607d, 47-610, 47-620; effective Jan. 1, 1966; amended, E-76-28, Aug. 15, 1975; amended May 1, 1976; amended May 1, 1980.)

**9-7-9a. Cats.** Cats shall not be imported

into Kansas, unless accompanied by a certificate of health issued by an approved veterinarian, stating: (a) that such cats are free from symptoms of any communicable disease; (b) that such cats have not been exposed to rabies, and (c) that such cats have been vaccinated against rabies with a product licensed by the U.S.D.A. and the duration of immunity and method of administration be in accordance with manufacturer's guidelines. Cats under three (3) months of age need not be vaccinated against rabies. (Authorized by K.S.A. 47-607d, 47-610, 47-620; effective, E-76-28, Aug. 15, 1975; effective May 1, 1976; amended May 1, 1980.)

**9-7-10. Livestock for exhibition purposes.** Livestock for exhibition purposes, may be moved into Kansas, if accompanied by a certificate, showing such livestock has met regular interstate health requirements, prior to date of entry into Kansas. (Authorized by K.S.A. 47-607d, 47-610, 47-620; effective Jan. 1, 1966.)

**9-7-11. Zoo animals, fur-bearing animals and other domesticated wild animals.** Zoo animals, fur-bearing animals and other domesticated wild animals shall be accompanied by an official health certificate. (Authorized by K.S.A. 47-607d, 47-610, 47-620; effective Jan. 1, 1971.)

**9-7-12. Buffalo or bison.** Buffalo or bison shall be accompanied by an official health certificate. They shall have passed a negative brucellosis test within the preceding thirty (30) days if six (6) months of age or over. (Authorized by K.S.A. 47-607d, 47-610, 47-620; effective Jan. 1, 1971.)

**9-7-13. Goats.** Goats shall not be imported into Kansas, unless accompanied by an official health certificate, identifying the animals and showing that the animals have had negative tuberculosis and brucellosis tests within 30 days prior to date of entry. (Authorized by K.S.A. 47-607d, 47-610, 47-620; effective, E-76-28, Aug. 15, 1975; effective May 1, 1976.)

**9-7-14. Horses.** Horses shall not be imported into Kansas unless accompanied by an official health certificate. (Authorized by K.S.A. 47-607d, 47-610, 47-620; effective, E-76-28, Aug. 15, 1975; effective May 1, 1976.)

**Article 8.—LIVESTOCK FEED LOTS**

**9-8-1. Cleaning of premises.** (1) Feed lots shall be thoroughly scraped and cleaned, and all manure removed, at least two times each calendar

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stances of the potential exposure to rabies incident, in the judgment of the local health officer or the local health officer's designee, indicate otherwise.

(7) The disposition of mammals which are not known to be involved in the transmission of rabies, and which are maintained in zoological parks, shall be in accordance with the judgment of the local health officer or the local health officer's designee.

(b) Quarantine of mammals exposed to rabies by a known or suspected rabid mammal shall be as follows:

(1) Stray, unclaimed, or unwanted dogs or cats shall be sacrificed immediately.

(2) Dogs and cats which have an owner, are wanted by that owner, and are not immunized against rabies shall be quarantined for six months at one of the following locations as determined by the local health officer or the local health officer's designee:

(A) the residence of the owner of the dog or cat;

(B) in a veterinary hospital; or

(C) at a facility holding a current state pound and shelter license.

These dogs or cats shall be immunized against rabies one month before release from quarantine. The local health officer or the local health officer's designee shall authorize the release of the dog or cat upon payment of the boarding fee.

(3) Dogs, cats, horses, cattle, and sheep which have an owner, are wanted by that owner, and for which the owner produces rabies vaccination certificates containing the following shall be immediately re-vaccinated and kept under the owner's control and observed for 45 days:

(A) the expiration date of the rabies vaccination; and

(B) positive identification for each of these mammals showing that the mammals are currently vaccinated by a licensed veterinarian with an approved vaccine for that species.

(4) Horses, cattle, and sheep not vaccinated with an approved vaccine for that species shall be sacrificed immediately, or quarantined for six months under conditions satisfactory to the local health officer or the local health officer's designee. The local health officer or the local health officer's designee shall authorize the release of the horse, cow or sheep upon payment of any boarding fees.

(5) Other mammals shall be sacrificed immediately, except for those mammals currently vaccinated with an approved vaccine for that species. Mammals which have been appropriately vaccinated may be immediately re-vaccinated and quarantined for at least 90 days under conditions satisfactory to the local health officer or the local health officer's designee. (Authorized by K.S.A. 65-128, K.S.A. 65-101; implementing K.S.A. 65-101; effective May 1, 1982; amended May 1, 1986; amended July 5, 1996.)

**28-1-14. Rabies control in wildlife mammals.** (a) The possession or sale of skunks, raccoons, foxes and coyotes for keeping of these mammals as pets shall be prohibited.

(b) Removal of musk glands of skunks for purposes of attempted domestication shall be prohibited.

(c) Except as permitted by the secretary, attempts to immunize skunks, coyotes, raccoons, foxes, and other wildlife mammals known to be involved in the transmission of rabies shall be prohibited.

(d) Subsections (a) and (b) of this regulation shall not apply to bonafide zoological parks or research institutions. (Authorized by and implementing K.S.A. 65-101; effective May 1, 1982; amended May 1, 1983; amended July 5, 1996.)

**28-1-15. Psittacosis control; records of purchase and sale.** Breeders, wholesalers, distributors and retailers of psittacine birds shall maintain a record of the date of purchase, source, and the species of each psittacine bird. When birds are sold, the seller shall record the name, address and telephone number of the customer, date of purchase, species purchased, and the band number, if applicable, for each psittacine bird sold. These records shall be kept for one year. (Authorized by and implementing K.S.A. 65-101; effective May 1, 1982; amended July 5, 1996.)

**28-1-16.** (Authorized by K.S.A. 65-128; effective Jan. 1, 1966; revoked May 1, 1982.)

**28-1-17.** (Authorized by K.S.A. 65-101; effective Jan. 1, 1966; revoked May 1, 1982.)

**28-1-18. Notification of Kansas department of health and environment by laboratories of positive reaction to tests for certain diseases.** (a) To assist in the control of disease in Kansas, any person who is in charge of a clinical laboratory shall notify the Kansas department of

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**87-2-804. Revocation of exception.** If a person is convicted of a violation of the fish and game laws or regulations of Montana, the privilege conferred by 87-2-801 through 87-2-803 shall be revoked for not less than 6 months.

**History:** En. Sec. 1, Ch. 267, L. 1955; amd. Sec. 1, Ch. 16, L. 1957; amd. Sec. 1, Ch. 100, L. 1957; amd. Sec. 2, Ch. 36, L. 1959; amd. Sec. 1, Ch. 36, L. 1963; amd. Sec. 1, Ch. 55, L. 1963; amd. Sec. 1, Ch. 148, L. 1963; amd. Sec. 1, Ch. 9, L. 1965; amd. Sec. 1, Ch. 241, L. 1965; amd. Sec. 1, Ch. 319, L. 1967; amd. Sec. 1, Ch. 84, L. 1969; amd. Sec. 1, Ch. 129, L. 1971; amd. Sec. 1, Ch. 110, L. 1973; amd. Sec. 1, Ch. 139, L. 1973; amd. Sec. 2, Ch. 167, L. 1973; amd. Sec. 1, Ch. 261, L. 1973; amd. Sec. 1, Ch. 408, L. 1973; amd. Sec. 1, Ch. 49, L. 1975; amd. Sec. 1, Ch. 91, L. 1975; amd. Sec. 1, Ch. 289, L. 1975; amd. Sec. 1, Ch. 417, L. 1975; amd. Sec. 1, Ch. 546, L. 1975; amd. Sec. 1, Ch. 169, L. 1977; amd. Sec. 2, Ch. 235, L. 1977; amd. Sec. 13, Ch. 417, L. 1977; R.C.M. 1947, 26-202.1(16)(d).

**Cross-References**

Forfeiture of license or permit for littering,  
87-2-112.

**87-2-805. Persons under fifteen years of age.** (1) Resident minors from 12 years through 14 years of age may fish and may hunt upland and migratory birds during the open season with only a conservation license. Resident minors under 12 years of age may fish without a license. However, no nonresident person under the age of 15 years may fish in or on any Montana waters without first having obtained a Class B or B-4 fishing license unless the nonresident person under the age of 15 years is in the company of an adult in possession of a valid Montana fishing license. The limit of fish for the nonresident person and the accompanying adult combined may not exceed the limit for one adult as established by law or by rule of the department.

(2) Residents, as defined by 87-2-102, under the age of 15 years may purchase Class A-3 and A-5 licenses at a price equal to one-half the fee paid by a resident who is 15 years of age or older and under 62 years of age.

**History:** (1) En. Sec. 11, Ch. 238, L. 1921; re-en. Sec. 3691, R.C.M. 1921; amd. Sec. 11, Ch. 59, L. 1927; amd. Sec. 3, Ch. 161, L. 1931; re-en. Sec. 3691, R.C.M. 1935; amd. Sec. 2, Ch. 148, L. 1963; amd. Sec. 1, Ch. 48, L. 1965; amd. Sec. 1, Ch. 26, L. 1967; amd. Sec. 1, Ch. 309, L. 1971; amd. Sec. 1, Ch. 369, L. 1975; amd. Sec. 6, Ch. 9, L. 1977; amd. Sec. 13, Ch. 417, L. 1977; Sec. 26-215, R.C.M. 1947; (2) En. Sec. 1, Ch. 267, L. 1955; amd. Sec. 1, Ch. 16, L. 1957; amd. Sec. 1, Ch. 100, L. 1957; amd. Sec. 2, Ch. 36, L. 1959; amd. Sec. 1, Ch. 36, L. 1963; amd. Sec. 1, Ch. 55, L. 1963; amd. Sec. 1, Ch. 148, L. 1963; amd. Sec. 1, Ch. 9, L. 1965; amd. Sec. 1, Ch. 241, L. 1965; amd. Sec. 1, Ch. 319, L. 1967; amd. Sec. 1, Ch. 84, L. 1969; amd. Sec. 1, Ch. 129, L. 1971; amd. Sec. 1, Ch. 110, L. 1973; amd. Sec. 1, Ch. 139, L. 1973; amd. Sec. 2, Ch. 167, L. 1973; amd. Sec. 1, Ch. 261, L. 1973; amd. Sec. 1, Ch. 408, L. 1973; amd. Sec. 1, Ch. 49, L. 1975; amd. Sec. 1, Ch. 91, L. 1975; amd. Sec. 1, Ch. 289, L. 1975; amd. Sec. 1, Ch. 417, L. 1975; amd. Sec. 1, Ch. 546, L. 1975; amd. Sec. 1, Ch. 169, L. 1977; amd. Sec. 2, Ch. 235, L. 1977; amd. Sec. 13, Ch. 417, L. 1977; Sec. 26-202.1(16)(e), 26-215(3); R.C.M. 1947; R.C.M. 1947, 26-202.1(16)(e), 26-215(3); amd. Sec. 18, Ch. 478, L. 1979; amd. Sec. 3, Ch. 169, L. 1983; amd. Sec. 7, Ch. 239, L. 1983; amd. Sec. 6, Ch. 304, L. 1985.

**87-2-806. Taking fish or game for scientific purposes.** (1) It is lawful for the duly accredited representative of an accredited school, college, university, or other institution of learning or of any governmental agency or for an individual, who may be investigating a scientific subject for which collection may be necessary, to take, kill, capture, and possess for that purpose any bird, fish, or animals protected by Montana law or state fish and game rule, provided that a permit to collect is authorized by the department. Under the provision of this section, a permittee may take, kill, and capture protected or unprotected birds, fish, or animals in any way that is approved by the department, except by the explosion of dynamite. A permittee may not take, kill, or capture mo

birds, fish, or animals than are necessary for the investigation. A collection permit may not be given for a species for which a taking is prohibited by statute or rule.

(2) A person who desires to engage in the scientific investigation shall apply to the department for a permit. The department may require the applicant to submit a plan of operations that includes the purpose for the collection, collection methodology to be employed, and the qualifications of the person who will be doing the collecting. The department may set qualifications for persons to whom permits are issued and may place special authorizations or special requirements and limitations on any permit. If the department is satisfied of the good faith and qualifications of the applicant and that the collecting is necessary for a valid purpose, the department:

(a) may issue a permit that must place a time limit on the collections and may place a restriction on the number of birds, fish, or animals to be taken; and

(b) shall require a report of the numbers and species of animals taken by collection areas.

(3) The department may deny a permit if:

(a) the applicant is not qualified to make the scientific investigation;

(b) the proposed collecting is not necessary for the proposed scientific investigation;

(c) the method of collecting is not appropriate;

(d) the proposed collecting may threaten the viability of the species; or

(e) there is no valid reason or need for the proposed scientific investigation.

(4) By December 31 of each year, a permittee is required to submit a report to the department that lists the species and numbers of individuals of the species taken and locations from which collections were taken. A permittee who fails to file a required report may not be issued another permit.

(5) The permittee shall pay \$50 for the permit, except that a permittee who is a representative of an accredited school, college, university, or other institution of learning or of any governmental agency is exempt from payment of the fee.

(6) The permittee may not take, have, or capture any other or greater number of birds, fish, or animals than are allowed in the permit.

(7) A representative of an accredited school, college, university, or other institution of learning or an individual permittee who may have various students or associates assisting throughout the year may apply to have a permit issued that includes the individual and the students or associates. The department shall approve the qualifications of a student or an associate and the level of supervision required by the primary permittee. The students or associates, when carrying a copy of the permit, have the same authorizations and restrictions as the primary applicant. The primary applicant shall keep a record of all students or associates listed on the permit and of the dates when each student or associate conducts a collection under the permit. The primary applicant is responsible for the students' or associates' use of the permit or copies of the permit.

History: En. Sec. 81, Ch. 173, L. 1917; re-en. Sec. 3760, R.C.M. 1921; re-en. Sec. 3760, R.C.M. 1935; amd. Sec. 27, Ch. 224, L. 1947; amd. Sec. 1, Ch. 116, L. 1973; amd. Sec. 43,

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Ch. 511, L. 1973; amd. Sec. 49, Ch. 9, L. 1977; R.C.M. 1947, 26-1008; amd. Sec. 1, Ch. 154, L. 1995.

**Cross-References**

Exception to tattoo requirements for wild animals taken and released as part of scientific program, 87-1-234.

Unlawful to use explosives or poisons in taking fish, 87-3-206.

Taking of endangered species for educational, scientific, or other purposes, 87-5-109.  
Capturing animals or birds in game preserve for scientific purpose, 87-5-401.

**87-2-807. Taking migratory game birds for propagation — avicultural permit.** (1) The department may issue avicultural permits for taking, capturing, and possessing migratory game birds, as defined in 87-2-101(9), for the purpose of propagation. Before issuing an avicultural permit, the department shall determine that the applicant has been issued the appropriate federal permit or that the applicant will receive the appropriate federal permit subject to concurrence by the department.

(2) An avicultural permit issued under this section must specify:

- (a) the species of migratory game birds allowed to be taken under the permit;
- (b) whether eggs or hatched birds, or both, may be taken;
- (c) the number of eggs or hatched birds, or both, that may be taken;
- (d) areas in which collection may be made;
- (e) means by which collection may be made;
- (f) the time period for which the permit is valid; and
- (g) any other conditions imposed by the department under rules adopted pursuant to subsection (5).

(3) Hatched migratory game birds or their eggs taken under an avicultural permit issued in accordance with this section remain the property of the state and may be disposed of only with the permission of the department. Progeny of hatched migratory game birds taken under permit as provided in this section become the private property of the holder of the permit who propagates the migratory game birds, and the owner may sell or transfer the birds as private property, subject to any applicable state or federal law or regulation.

(4) The department may charge a fee for issuing an avicultural permit, if necessary, not to exceed the cost of issuing the permit.

(5) The department shall adopt rules implementing this section.

History: En. Sec. 1, Ch. 262, L. 1985; amd. Sec. 25, Ch. 417, L. 1995.

**Cross-References**

Adoption and publication of rules — Montana Administrative Procedure Act, Title 2, ch. 4, part 3.

**87-2-808. Fishing license exception for angler educational events and activities.** (1) A participant in any angler educational event or activity approved by the department may fish without the otherwise required fishing license while participating on the specified body of water during the event.

(2) To be eligible during the 2-year period following April 16, 1997, an angler educational event or activity must be taught under the guidance of an employee of the department or by an instructor certified by the department as competent to instruct in the laws, techniques, and ethics of angling. At the end of the 2-year period, angler educational events and activities should be conducted as provided in subsection (4).



(g) adopt rules necessary to administer the provisions of this part.

History: En. Sec. 5, Ch. 305, L. 1985; am. Sec. 5, Ch. 393, L. 1997.

**Compiler's Comments**

1997 Amendment: Chapter 393 through-out section, in four places, substituted "fish, wildlife, and parks" for "fish and wildlife"; in (2)(a) inserted "including neighborhood watch

programs"; and made minor changes in style. Amendment effective April 28, 1997.

**Cross-References**

Adoption and publication of rules — Montana Administrative Procedure Act, Title 2, ch. 4, part 3.

**87-5-606. Confidentiality.** The identity of a person submitting information under the program and any information that may lead to the disclosure of such identity is confidential.

History: En. Sec. 6, Ch. 305, L. 1985.

### Part 7 Importation, Introduction, and Transplantation of Wildlife

**Part Cross-References**

Importation, introduction, or transplantation of wildlife — unlawful, 87-3-105.

Felony sale or possession of wildlife — penalty, 87-3-118.

**87-5-701. Purpose.** The legislature finds that in order to protect the native wildlife and plant species of Montana and to protect the agricultural production of Montana, it is necessary to provide for the control of the importation for introduction and the transplantation or introduction of wildlife in the state. Serious threats, known and unknown, to the well-being of native wildlife and plant species and to agricultural production, resulting from the introduction of wildlife into natural habitats, necessitate the prohibition of the importation for introduction and the transplantation or introduction of wildlife into natural habitats unless it can be shown that no harm will result from such transplantation or introduction. Any importation for introduction or the transplantation or introduction permitted must be conducted in a manner to assure that the introduced or transplanted population can be controlled if harm arises from unforeseen effects.

History: En. Sec. 2, Ch. 624, L. 1985.

**87-5-702. Definitions.** For purposes of this part, the following definitions apply:

- (1) "Feral" means the appearance in a natural habitat of an animal that has escaped domestication and become wild.
- (2) "Importation" means the act of bringing into the state any wildlife.
- (3) "Introduction" means the release of or attempt to release, intentional or otherwise, wildlife from outside the state into natural habitats of the state.
- (4) "Natural habitat" means any area in which the introduction of wildlife species may result in an uncontrolled, naturally reproducing population of that species becoming established.
- (5) "Transplantation" means the release of or attempt to release, intentional or otherwise, wildlife from one place within the state into natural habitats in another part of the state.
- (6) "Wildlife" means any wild mammal, bird, reptile, amphibian, fish, mollusk, crustacean, or other wild animal or the egg or offspring thereof.

87-5-703

FISH AND WILDLIFE

402

History: En. Sec. 3, Ch. 624, L. 1985.

**87-5-703. Applicability to other provisions for importation or introduction of wildlife.** Sections 87-5-701 through 87-5-704, 87-5-711, 87-5-713 through 87-5-716, and 87-5-721 do not apply to the importation of wildlife for the commercial pet trade or to the provisions on importation or introduction of wildlife contained in the following laws:

- (1) Title 80;
- (2) 87-3-207 and 87-3-208;
- (3) 87-3-221 through 87-3-224 or 87-3-209, 87-3-210, and 87-3-225 through 87-3-227;
- (4) 87-4-422;
- (5) 87-5-112;
- (6) 87-5-205;
- (7) 87-5-302; or
- (8) Title 81, chapter 2.

History: En. Sec. 11, Ch. 624, L. 1985; amd. Sec. 13, Ch. 376, L. 1989.

**87-5-704. Rulemaking.** (1) The commission may adopt rules to implement 87-5-701, 87-5-702, and 87-5-711 through 87-5-715. In implementing 87-5-713, the commission may adopt rules approving species of wildlife that may be introduced by the department. In implementing 87-5-715, the commission may adopt rules to authorize the control or extermination by the department of introduced wildlife species.

(2) The department may adopt rules to implement 87-5-713 and 87-5-715. In implementing 87-5-713 and 87-5-715, the department may not adopt rules in the subject areas reserved to the commission in subsection (1).

History: En. Sec. 10, Ch. 624, L. 1985.

#### Cross-References

Adoption and publication of rules — Montana Administrative Procedure Act, Title 2, ch. 4, part 3.

**87-5-705 through 87-5-710 reserved.**

**87-5-711. Control of importation for introduction and transplantation or introduction of wildlife.** (1) Except as otherwise provided, the importation for introduction or the transplantation or introduction of any wildlife is prohibited unless the commission determines, based upon scientific investigation and after public hearing, that a species of wildlife poses no threat of harm to native wildlife and plants or to agricultural production and that the transplantation or introduction of a species has significant public benefits.

(2) With regard to the transplantation or introduction of a fish species not previously legally transplanted to a specific water body within the state or not previously legally introduced to the state, the requirement for scientific investigation in subsection (1) may be satisfied only by completion of an environmental review conforming to the provisions of Title 75, chapter 1, part 2.

History: En. Sec. 4, Ch. 624, L. 1985; amd. Sec. 1, Ch. 501, L. 1991.

**87-5-712. Authority for commission to control importation generally of certain wildlife species.** The commission may, after public hearing, list by administrative rule wildlife species prohibited from importation for

captive breeding for research or commercial purposes or for the commercial pet trade if the commission finds, based on scientific investigation, that the species, because of behavioral traits or other biological considerations, would not be readily subject to control by man while in captivity or that if released into natural habitat would pose a substantial threat to native wildlife and plants or agricultural production.

History: En. Sec. 7, Ch. 624, L. 1985.

**87-5-713. Control of wildlife species permitted to be transplanted or introduced.** Any wildlife species listed in 87-5-714 or approved by the commission for introduction or transplantation may be introduced or transplanted only subject to a plan developed by the department to assure that the population can be controlled if any unforeseen harm should occur.

History: En. Sec. 5, Ch. 624, L. 1985.

**87-5-714. Wildlife species authorized for introduction or transplantation.** (1) The following wildlife species may be introduced or transplanted by the department based upon scientific investigation and upon approval of the commission:

- (a) gray (Hungarian) partridge (*Perdix perdix*);
- (b) chukar partridge (*Alectoris chukar*);
- (c) ring-necked pheasant (*Phasianus colchicus*);
- (d) turkey (*Meleagris gallopavo*);
- (e) rainbow trout (*Salmo gairdneri*);
- (f) golden trout (*Salmo aquabonita*);
- (g) brown trout (*Salmo trutta*);
- (h) brook trout (*Salvelinus fontinalis*);
- (i) lake trout (*Salvelinus namaycush*);
- (j) northern pike (*Esox lucius*);
- (k) black bullhead (*Ictalurus melas*);
- (l) yellow bullhead (*Ictalurus natalis*);
- (m) largemouth bass (*Micropterus salmoides*);
- (n) smallmouth bass (*Micropterus dolomieu*);
- (o) pumpkinseed sunfish (*Lepomis gibbosus*);
- (p) bluegill (*Lepomis macrochirus*);
- (q) green sunfish (*Lepomis cyanellus*);
- (r) rock bass (*Ambloplites rupestris*);
- (s) black crappie (*Pomoxis nigromaculatus*);
- (t) white crappie (*Pomoxis annularis*);
- (u) yellow perch (*Perca flavescens*);
- (v) walleye (*Stizostedion vitreum*);
- (w) cisco (tulibee) (*Coregonus artedii*);
- (x) spottail shiner (*Notropis hudsonius*);
- (y) kokanee salmon (*Oncorhynchus nerka*);
- (z) chinook salmon (*Oncorhynchus tshawytscha*);
- (aa) lake whitefish (*Coregonus clupeaformis*);
- (bb) golden shiner (*Notemigonus crysoleucas*).

(2) The commission may by rule and subject to the provisions of 87-5-711 authorize the department to transplant or introduce species of wildlife not listed in subsection (1).

History: En. Sec. 9, Ch. 624, L. 1985.

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DISEASE CONTROL

81-2-703

**Cross-References**

Protection of forest resources, Title 76, ch. 13, part 1.  
 Forest fire season, 76-13-102(6), 76-13-203.  
 Burning permits, 76-13-121.

Provision of fire protection services, Title 76, ch. 13, part 2.  
 Department defined, 77-1-101.

**77-5-105. Powers of firewardens.** (1) All firewardens have the power of peace officers to make arrests without warrants for violations in their presence of any state or federal forest laws, and a firewarden is not liable for civil action for trespass committed in the discharge of his duties. A firewarden who has information which shows, with reasonable certainty, that a person has violated any provision of those forest laws shall immediately take action against the offender by making complaint before the proper magistrate, or by information to the proper county attorney and shall obtain all possible evidence pertaining thereto.

(2) All firewardens shall have authority to call upon any able-bodied citizen between the ages of 18 and 50 years, resident in the vicinity, for assistance in putting out fires; and any such person who refuses to obey such summons, except for good and sufficient reason, is guilty of a misdemeanor and upon conviction shall be fined in a sum not less than \$15 or more than \$50 or imprisonment in the county jail not less than 1 or more than 30 days or both such fine and imprisonment. No citizen shall be called upon to fight fire a total of more than 5 days in one year.

**History:** (1)En. Sec. 12, Ch. 147, L. 1909; re-en. Sec. 1834, R.C.M. 1921; re-en. Sec. 1834, R.C.M. 1935; amd. Sec. 104, Ch. 253, L. 1974; Sec. 81-1413, R.C.M. 1947; (2)En. Sec. 13, Ch. 147, L. 1909; re-en. Sec. 1835, R.C.M. 1921; re-en. Sec. 1835; R.C.M. 1935; Sec. 81-1414, R.C.M. 1947; R.C.M. 1947, 81-1413(part), 81-1414.

**Cross-References**

Rural fire protection — county or district,  
 Title 7, ch. 33, part 22.

State may recover fire suppression costs,  
 50-63-103.  
 Provisions for fire protection on private  
 lands, Title 76, ch. 13, part 2.

**TITLE 81****LIVESTOCK****CHAPTER 2****DISEASE CONTROL****Part 7****Importation Permits and Health Certificates**

**81-2-703. Documents required for importation — exemptions.** (1) Except as provided in subsection (6), no animal, animal semen, or animal

biologic may be brought into the state without a permit and also a health certificate.

(2) The department shall issue a permit if no significant danger to the public health will ensue upon importation of the animal into the state. No permit may be issued for livestock infected with or exposed to brucellosis, tuberculosis, or any other infectious, contagious, or communicable animal disease, except that cattle with a positive reaction to a recognized test for brucellosis may be permitted entry when destined directly for slaughter at a slaughterhouse under United States department of agriculture supervision.

(3) The department may waive the requirement for a health certificate or a permit as provided in subsection (7).

(4) The requirements of subsection (1) apply regardless of species, breed, sex, class, age, point of origin, place of destination, or purpose of movement.

(5) All required documents must be attached to the waybill or be in possession of the driver of the transporting vehicle or of the person in charge of the animals. When a single permit or health certificate is issued for animals being moved in more than one vehicle, the driver of each vehicle shall have in his possession a copy of the permit and, where applicable, a health certificate.

(6) Animals, animal semen, or animal biologics being moved through the state with no intent to unload or deliver in the state are exempted from this part. In an emergency situation, such transitory cargo may be unloaded in compliance with the quarantine rules promulgated by the department.

(7) A waiver of the requirement for a health certificate or a permit shall be based upon evidence that there will be no significant danger to the public health if the exemption is granted.

History: En. Sec. 3, Ch. 65, L. 1981; amd. Sec. 1, Ch. 44, L. 1983.

## CHAPTER 7

### PREDATORY ANIMAL CONTROL

#### Part 1 — Predatory Animal Control

- 81-7-101. Definition.
- 81-7-102. Department to supervise destruction of predatory animals — cooperation with other agencies — administration of moneys.
- 81-7-103. Administration of funds by the department.
- 81-7-104. Predator control moneys — use of proceeds.
- 81-7-105. Disposition of proceeds from sale of skins, hides, and specimens — presenting to museums.
- 81-7-106 through 81-7-110 reserved.
- 81-7-111. Evidence of killing by bounty claimant.
- 81-7-112. Bounty inspectors.
- 81-7-113. Claim for bounty.
- 81-7-114. Certificate and record of sheriff.
- 81-7-115. Duty of county clerk.
- 81-7-116. Bounty claims and certificates to be filed with department.
- 81-7-117. Department to examine claims and certificates — approval or disapproval of claims.
- 81-7-118. Levy of tax for purpose of paying bounty claims — limitation on levy.
- 81-7-119. Repealed.
- 81-7-120. Use of funds remaining after payment of bounties — sale of furs, skins, and specimens — presentation to museums.
- 81-7-121. Falsifying certificates or affidavits — penalty.

**MEMORANDUM OF UNDERSTANDING  
BETWEEN THE  
NORTH DAKOTA GAME AND FISH DEPARTMENT  
AND  
NORTH DAKOTA BOARD OF ANIMAL HEALTH**

This Memorandum of Understanding, by and between the North Dakota Game and Fish Department, hereinafter called the Department; and the North Dakota Board of Animal Health, hereinafter called the Board.

Whereas, it is the mutual desire of the Department and the Board to consolidate the joint jurisdictions over Nontraditional Livestock to one legal entity, the Board of Animal Health.

Whereas, the Department will be entrusting the Board to establish and enforce rules to the best of its ability to:

1. Prevent the introduction and spread of disease or parasites to wild free-ranging wildlife.
2. Prevent the escape or release of an animal injurious to or competitive with forestry, wild animals and other natural resource interests.
3. To prevent the mistreatment of animals.
4. To comply with the federal law concerning endangered and threatened species.

**I. THE BOARD AGREES:**

1. To recognize the Department as being the agency responsible for establishing the regulations under which wild free-ranging wildlife will be managed.

2. Allow the Department to have an active member on the Nontraditional Livestock Advisory Council as long as it is in effect.
3. Contact and consult with the Department when new species are being considered for importation into the state which may have an impact on resident wildlife populations.
4. Contact the Department concerning possible violations of state wildlife laws and turn over such information as needed to conduct investigations of violations of N.D.C.C. 20.1.
5. To fulfill the licensing, permitting, inspection, regulation and record keeping of native wildlife in accordance with Administrative Rules Chapter 48 and N.D.C.C. 20.1 as staffing and time will allow; and in a manner consistent with prior Departmental program management.

**II. THE DEPARTMENT AGREES:**

1. To turn over to the Board copies of any past record concerning Propagation permits.
2. To cooperate with the Board and provide technical and biological information.
3. To consult with the Board on changes of applicable wildlife law which may effect the Nontraditional livestock industry.
4. The Department agrees to provide personnel, when feasible; upon request to facilitate the implementation of Nontraditional livestock rules and regulations, these requests shall be on an individual basis and not considered permanent requests.

5. Provide a funding transfer in the amount of \$30,000 for the 1997-1999 biennium, to be paid by June 30, 1998. This funding transfer is to cover activities previously conducted by the Department as mandated by N.D.C.C. 20.1.

III. THE DEPARTMENT AND THE BOARD MUTUALLY AGREE TO:

1. The Board will have the sole authority to collect nontraditional livestock license fees.
2. Both departments agree that testing and/or use of artificial fertility control agents, other than surgical sterilization, will not be allowed in either captive or free ranging indigenous wildlife in North Dakota without written permission from the Department and the Board.
3. Both departments, also, agree that relocation of free ranging, wild animals into North Dakota will not be allowed unless they come from a population of animals of known disease status.

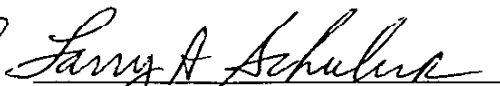
The parties hereto cause this agreement to be executed on this 10<sup>th</sup> day of March, 1998. This MOU shall be effective until June 30th, 1999 and be renewed upon mutual consent of the Board and the Department.

NORTH DAKOTA GAME AND  
FISH DEPARTMENT



Dean Hildebrant  
Director

NORTH DAKOTA BOARD OF  
ANIMAL HEALTH



Dr. Larry A. Schuler  
Executive Officer and State Veterinarian



MEMORANDUM OF UNDERSTANDING  
BETWEEN THE  
NORTH DAKOTA GAME AND FISH DEPARTMENT  
AND THE  
NORTH DAKOTA STATE BOARD OF ANIMAL HEALTH

This Memorandum of Understanding is between the North Dakota Game and Fish Department ("DEPARTMENT") and the North Dakota State Board of Animal Health ("BOARD").

WHEREAS, N.D.C.C. § 20.1-02-04 imposes a duty on the DEPARTMENT Director to supervise the breeding, propagation, capture, distribution, and preservation of game birds, game animals, and fish as the director deems advisable, and further, to keep a record of all permits issued for the purpose of propagation and domestication of game birds or protected animals;

WHEREAS, N.D.C.C. § 20.1-09-02 allows the DEPARTMENT Director, at the Director's discretion, to issue permits to propagate, domesticate, or possess live protected birds or animals to any North Dakota resident. These permits expire on December thirty-first of the year they are issued. One permit may cover several species of birds or animals, but a single permit may not cover both birds and animals. No person may possess any live protected animal or bird without first obtaining a permit from the director;

WHEREAS, N.D.C.C. § 20.1-03-12(13) allows the DEPARTMENT to charge five dollars for a permit to propagate, domesticate, or possess protected wildlife;

WHEREAS, N.D. Admin. Code chapter 30-04-04 imposes additional DEPARTMENT regulatory requirements upon persons seeking to transplant or introduce fish, fish eggs, game birds, or game animals into North Dakota;

WHEREAS, the BOARD is charged, under N.D.C.C. § 36-01-08, with protecting the health of the domestic animals and nontraditional livestock of this state, determining and employing the most efficient and practical means for the prevention, suppression, control, and eradication of dangerous, contagious, and infectious diseases among such animals, and preventing the escape and release of an animal injurious to or competitive with agriculture, horticulture, forestry, wild animals, and other natural resource interests;

WHEREAS, the BOARD, under N.D.C.C. § 36-01-08.4, may require a license for captive wildlife maintained within this state, and so requires under N.D. Admin. Code § 48-12-01-03;

WIIEREAS, it is the mutual desire of the DEPARTMENT and the BOARD to consolidate certain overlapping nontraditional livestock duties into one agency for the benefit and convenience of the public;

WHEREAS, the DEPARTMENT will entrust the BOARD to establish and enforce rules to the best of its ability to:

1. Prevent the introduction and spread of disease or parasites to wild free-ranging wildlife;
2. Prevent the escape or release of an animal injurious to or competitive with forestry, wild animals, and other natural resource interests;
3. Prevent the mistreatment of animals; and

NOW, THEREFORE, the agencies, in exchange for the mutual covenants contained herein, agree as follows:

### **Scope of Agreement**

The BOARD agrees to:

1. Recognize the DEPARTMENT as being the agency responsible for establishing the regulations under which wild free-ranging animals will be managed.
2. Issue permits to propagate, domesticate, or possess live protected birds or animals to North Dakota residents under N.D.C.C. § 20.1-09-02 in a manner consistent with prior DEPARTMENT program management. This authority is subject to the DEPARTMENT Director's supervision and the Director must sign the permits. The DEPARTMENT explicitly reserves authority to issue permits for wildlife rehabilitation purposes.
3. Keep a record of all permits issued for propagation, domestication, and possession of protected birds or animals under N.D.C.C. § 20.1-09-02 in a manner consistent with prior DEPARTMENT program management.
4. Allow the DEPARTMENT to have a member on the nontraditional livestock advisory council so long as the council exists.
5. Consult with the DEPARTMENT when new species are being considered for importation into the state.
6. Notify the DEPARTMENT of possible violations of state wildlife laws and turn over such information as needed to conduct investigations of violations of N.D.C.C. Title 20.1.

The DEPARTMENT agrees to:

1. Give the BOARD copies of any and all past records concerning propagation, domestication, or possession permits, with the express reservation of permits for wildlife rehabilitation purposes.
2. Provide technical and biological information to the BOARD relating in any way to this agreement.
3. Consult with the BOARD on changes to applicable wildlife law that may effect the nontraditional livestock industry.
4. Provide personnel upon request, at their discretion, to facilitate the implementation of nontraditional livestock rules and regulations. Requests will be made on an individual basis and are not considered standing requests.
5. Transfer \$45,000 to the BOARD by June 30, 2000 for the 1999-2001 biennium. This funding transfer is to cover activities previously conducted by the DEPARTMENT under N.D.C.C. Title 20.1.
6. To continue its statutory and administrative responsibilities with respect to fish, fish eggs, or other wildlife not covered by this agreement.

The DEPARTMENT and the BOARD mutually agree that:

1. The BOARD will retain the sole authority to collect nontraditional livestock license fees.
2. The BOARD may, at its discretion, charge five dollars for a permit to propagate, domesticate, or possess protected wildlife under N.D.C.C. § 20.1-03-12(13) except for permits for wildlife rehabilitation purposes.
3. Testing or use of artificial fertility control agents, other than surgical sterilization, will not be allowed in free ranging indigenous wildlife in North Dakota without written permission from the DEPARTMENT and the BOARD.
4. Importation or in-State relocation of free ranging, wild protected animals will not be allowed without the written permission of the DEPARTMENT and the BOARD.

#### **Term**

This MOU is effective upon execution by both parties and terminates on June 30, 2001 and may be renewed upon mutual consent of the BOARD and the DEPARTMENT.

### **Termination**

This MOU may be terminated by mutual consent of both parties, or by either party upon 30 days' written notice. Any such termination of this MOU is without prejudice to any obligations or liabilities of either party already accrued prior to such termination.

### **Defined Terms**

For the purpose of this agreement, "protected birds" means all varieties of geese, brant, swans, ducks, plovers, snipes, woodcocks, grouse, sagehens, pheasants, Hungarian partridges, quails, partridges, cranes, rails, coots, wild turkeys, mourning doves, and crows.

For the purpose of this agreement, "protected animals" means white-tailed deer, mule deer, moose, elk, bighorn sheep, mountain goats, antelope (pronghorn), mink, muskrats, weasels, wolverines, otters, martens, fishers, kit or swift foxes, beavers, raccoons, badgers, wolves, coyotes, bobcats, lynx, mountain lions, black bears, red or gray foxes, and tree squirrels.

### **Merger**

This agreement constitutes the entire agreement between the parties. There are no understandings, agreements, or representations, oral or written, not specified within this agreement.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 1999.

NORTH DAKOTA STATE BOARD OF  
ANIMAL HEALTH

\_\_\_\_\_  
Dr. Larry A. Schuler  
Executive Officer and State Veterinarian

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 1999.

NORTH DAKOTA GAME AND  
FISH DEPARTMENT

\_\_\_\_\_  
Dean Hildebrand  
Director

## ENDANGERED AND THREATENED SPECIES

### Section

34A-8-1. Definition of terms.

34A-8-2. Investigation of wildlife by secretary - Information developed.

34A-8-3. Lists of endangered and threatened species promulgated - Basis for determination.

34A-8-4. Biennial review of lists of endangered and threatened species - Amendments.

34A-8-5. Notice by commission of proposed actions - Time allowed for comment.

34A-8-6. Departments to manage, protect and restore endangered and threatened species.

34A-8-7. Programs and agreements for management of endangered species - Prairie dog control on private lands.

34A-8-8. Permitting capture of endangered and threatened species - Authorized purposes.

34A-8-9. Possession, transportation and sale of endangered and threatened species prohibited - Violation as misdemeanor.

34A-8-10. Importation, possession and sale authorized under permit.

34A-8-11. Permits for capture or destruction of, wildlife to protect life or property - Violation of permit - Emergency protection of human life.

34A-8-12. Repealed.

34A-8-13. Legislative approval required for reintroduction of species.

### § 34A-8-1. Definition of terms.

Terms as used in this chapter, unless the context otherwise requires, mean:

(1) "Endangered species," any species of wildlife or plants which is in danger of extinction throughout all or a significant part of its range other than a species of insects determined by the game, fish and parks commission or the secretary of the United States department of interior to constitute a pest whose protection under this chapter would present an overwhelming and overriding risk to man;

(2) "Nongame species," any wildlife species not legally classified a game species, fur-bearer, threatened species or as endangered by statute or regulations of this state;

(3) "Threatened species," any species which is likely to become an endangered species within the foreseeable future throughout all or a significant portion of its range;

(4) "Wildlife," any nondomesticated animal, whether reared in captivity or not, and includes any part, product, egg, or offspring thereof, or the dead body or parts thereof.

Source: SL 1977, ch 335, § 1.

### § 34A-8-2. Investigation of wildlife by secretary - Information developed.

The game, fish and parks secretary shall conduct investigation on nongame, endangered or threatened wildlife to develop information relating to population, distribution, habitat needs, limiting factors, and other biological and ecological data to determine management measures necessary to ensure their perpetuation as viable components of their ecosystem and for human enjoyment.

Source: SL 1977, ch 335, § 3.

**§ 34A-8-3. Lists of endangered and threatened species promulgated - Basis for determination.**

On the basis of determinations pursuant to § 34A-8-2 the game, fish and parks commission shall promulgate a list of those species of wildlife which are determined to be endangered or threatened within the state. The game, fish and parks commission shall make these determinations on the basis of the best scientific, commercial and other data available to them and after consultation, as appropriate, with federal agencies, other interested state agencies, other states having a common interest in the species and interested persons and organizations.

Source: SL 1977, ch 335, § 3.

**§ 34A-8-4. Biennial review of lists of endangered and threatened species - Amendments.**

The game, fish and parks commission shall conduct a review of the state list of endangered and threatened species within the period ending July 3, 1979 and every two years thereafter and may amend the list by appropriate additions or deletions.

Source: SL 1977, ch 335, § 3.

**§ 34A-8-5. Notice by commission of proposed actions - Time allowed for comment.**

The game, fish and parks commission may not add a species to nor remove a species from any list pursuant to § 34A-8-3 or § 34A-8-4, until it has:

- (1) Published a public notice of such proposed action;
- (2) Notified the Governor of any state sharing a common border with this state and in which the subject species is known to exist that such action is being proposed;
- (3) Allowed at least thirty days following publication for comment from public and other interested parties.

Source: SL 1977, ch 335, § 3.

**§ 34A-8-6. Departments to manage, protect and restore endangered and threatened species.**

The department of game, fish and parks and the department of agriculture shall perform those acts necessary for the conservation, management, protection, restoration and propagation of endangered, threatened and nongame species of wildlife.

Source: SL 1977, ch 335, § 2.

**§ 34A-8-7. Programs and agreements for management of endangered species - Prairie dog control on private lands.**

The secretary of agriculture and the secretary of game, fish and parks shall establish programs, with legislative approval and may enter into co-operative agreements with federal and state agencies or with private persons as deemed necessary for the management of nongame, endangered or threatened species. The secretaries shall establish and conduct control programs at state expense on private lands that are encroached upon by prairie dogs from contiguous public lands.

Source: SL 1977, ch 335, § 4.

**Cross-References.**

Prairie dog control program, § 40-36-3.1.

**§ 34A-8-8. Permitting capture of endangered and threatened species - Authorized purposes.**

The secretary of agriculture and the secretary of game, fish and parks may permit the taking, possession, purchase, sale, transportation, exportation, or shipment of species of plants or wildlife which appear on the state list of endangered or threatened species for scientific, zoological, or educational purposes, for propagation in captivity of such fish or wildlife to insure their survival.

Source: SL 1977, ch 335, § 4.

**§ 34A-8-9. Possession, transportation and sale of endangered and threatened species prohibited - Violation as misdemeanor.**

Except as otherwise provided in this chapter, no person may take, possess, transport, import, export, process, sell or offer for sale, buy or offer to buy, nor may a common or contract carrier transport or receive for shipment, any species of wildlife or plants appearing on the following lists:

- (1) The list of wildlife and plants indigenous to the state determined to be endangered or

threatened within the state pursuant to §§ 34A-8-3 and 34A-8-4.

(2) The United States list of endangered or threatened native wildlife effective on January 1, 1977.

(3) The United States list of endangered or threatened foreign wildlife effective on January 1, 1977.

(4) The United States list of endangered or threatened plants effective on January 1, 1977.

A violation of this section is a Class 2 misdemeanor.

Source: SL 1977, ch 335, § 5; 1992, ch 158, § 48.

**Cross-References.**

Penalties for classified misdemeanors, § 22-6-2.

**Collateral References.**

Validity and construction of statute prohibiting sale within state of skin or body of specified wild animals or of the animal itself, 44 ALR3d 1008.

**§ 34A-8-10. Importation, possession and sale authorized under permit.**

A species of wildlife appearing on any of the lists enumerated in § 34A-8-9 may enter South Dakota from another state or from a point outside the territorial limits of the United States and may be transported, possessed and sold in accordance with the terms of a permit issued pursuant to rules promulgated by the Game, Fish and Parks Commission pursuant to chapter 1-26.

Source: SL 1977, ch 335, § 6; 1993, ch 256, § 34.

**Amendments.**

The 1993 amendment substituted "promulgated by the Game, Fish and Parks Commission pursuant to chapter 1-26" for "and regulations for the administration of this chapter."

**§ 34A-8-11. Permits for capture or destruction of, wildlife to protect life or property - Violation of permit - Emergency protection of human life.**

Upon good cause shown and where necessary to alleviate damage to property or to protect human health, endangered or threatened species found on the state list may be removed, captured, or destroyed pursuant to a permit issued by the secretary of game, fish and parks. A violation of the terms of the permit is a Class 2 misdemeanor.

Carnivorous animals found on the state list may be removed, captured, or destroyed by any person in emergency situations involving an immediate threat to human life, provided that the removal, capture, or destruction shall be reported to the secretary or his representative within twenty-four hours of the act.



**Source:** SL 1977, ch 335, § 7; 1992, ch 158, § 49.

**Cross-References.**

Penalties for classified misdemeanors, § 22-6-2.

**§ 34A-8-12. Violation as misdemeanor.**

Repealed by SL 1992, ch 158, § 50.

**§ 34A-8-13. Legislative approval required for reintroduction of species.**

No species that is currently extinct in this state and that has been placed on the threatened or endangered species list pursuant to the federal "Endangered Species Act of 1973," as amended to January 1, 1995, may be reintroduced into this state through action by any federal, state, or local governmental entity, unless the Legislature has specifically enacted legislation naming the species and specifying the manner of reintroduction.

**Source:** SL 1995, ch 206.

**Federal References.**

The federal Endangered Species Act of 1973 is compiled as 16 U.S.C. § 1531 et seq.

Excerpts from NPS 77 Natural Resources Management Guidelines (1999)

1. Threatened and Endangered Species: Manipulative Activities

Manipulative activities such as habitat or species restoration or population augmentation are encouraged if identified as appropriate in the recovery plan and if such activities would result in a more representative distribution of the species within the park. In considering any manipulative activities, the superintendent must consider potential impacts on other native species and park operations. If, however, such activities are needed for effective recovery, they should take priority over other species management and park operations. Significant modification of habitat and landform is discouraged unless necessary to prevent extirpation or extinction of the species. Manipulative activities may properly displace portions of other native and/or non-native populations. Where it has been determined by the FWS and the NPS that species restoration or population augmentation programs are desirable, the individuals selected should, to the greatest extent possible, be genetically and ecologically representative of park populations. If a species is totally extirpated from a park or region and restoration is determined to be appropriate, restoration may utilize closely related subspecies or varieties.

Any manipulation of the endangered and threatened individuals themselves could constitute a "take" (see Definitions), and may therefore only be done through a FWS permit or, for a marine mammal, a National Marine Fisheries Service permit. Such permits may be issued by either agency for scientific purposes or for enhancement of propagation or survival. Proposed permits are required to be published in the Federal Register and reviewed for 30 days; therefore, applications must be made well in advance of proposed actions. An NPS employee may aid a sick, injured, or orphaned specimen of endangered wildlife or care for a damaged or diseased plant for a limited time in an emergency situation without a permit. In such a situation, the FWS or NMFS should be contacted as soon as possible.

Collection of individuals for captive propagation programs is appropriate, consistent with the ESA and approved recovery plans, if such collections will not unduly retard recovery efforts within the park. Such collections may be made only with the appropriate permits. Use of tagging, banding, or other identification methods should be coordinated with cooperating agencies to ensure consistency with other programs. These actions also require a FWS or NMFS permit.

2. Management of Candidate Species and State Endangered and Threatened Species

Management of these species should, to the greatest extent possible, parallel the management of federally listed species. In the absence of approved recovery plans, subject matter experts from federal, state, or private entities (e.g., The Nature Conservancy's Natural Heritage Program) should be consulted to assist in establishing priorities for management actions.

These species should be listed within a project statement of the resource management plan, and a scheduled periodic monitoring effort should be identified. Monitoring reports should be prepared and information should be provided to the NPS regional and Washington Office T/E coordinators and to the appropriate Office of Endangered Species, FWS.

### 3. Management of Rare and/or Sensitive Species

Such species may be identified by a variety of groups (e.g., The Nature Conservancy). Management of these species should be determined at the park level in consultation with concerned and knowledgeable parties. Although specific recovery actions may not be indicated, their identification as rare or sensitive species should warrant heightened management concern.

### 4. Restoration of Native Species (unlisted)

a. Restoration (re-establishment) of a native species may occur after the following determinations or preparations are made:

- (1) Adequate proof exists that the species occurred in the area and that its absence is human caused. A habitat analysis should be conducted to verify that enough land and water area exists to support a viable population of the species. All other essential elements, including water, forage, nest or den sites, cover, and others should exist.
- (2) A restoration action plan has been developed.
- (3) There is an adequate source of animals.
- (4) There are no significant problems with predators at the release site, or the problems can be resolved.
- (5) A review concludes that the extirpation was human caused.
- (6) A review indicates that the prospects for natural re-establishment are minimal, but that restoration has a good chance for success.

b. A restoration action plan should be prepared to include:

- (1) An analysis of the selection of source animals to include the most closely related individuals with regard to size, external morphology, genetic background, and behavior to the extirpated species, except where other considerations exist.
- (2) Preparations for the safest and most humane transport of the source stock.
- (3) An analysis of the best release sites that minimize conflicts with native predators and humans afford the released animals the best chance of survival and procreation.

- (4) Possible temporary holding of the source stock in a structure or enclosure until they have acclimated or where a gentle release is desired. Any disadvantages to the use of the facility, such as increased transmission of disease or increased vulnerability to predators, should be recognized and weighed against the benefits of utilizing the enclosure. The enclosure or structure should be removed after release, except where it benefits the recovering species, in which case it should be removed after the recovery is complete.

c. Augmentation of Diminished Populations

Augmentation of existing but diminished populations may occur when one or more of the following conditions are met:

- (1) Changes in demographic characteristics, reduced genetic variability, or the associated influence of reduced fecundity are verified.
- (2) The diminished population is seriously threatened with extirpation.
- (3) The augmentation is essential to the species' recovery, and the diminished status was the result of human influence.
- (4) The continued diminished status negatively impacts a second species of special concern or a rare, threatened, or endangered species.

Augmentation of a diminished population may **not** take place to enhance a harvested population (in these cases, the harvest level should be reduced); where natural recovery without the augmentation is likely; or where the source stock is not of similar genetic background.

Parks may also provide source animals to other areas when populations in other parks will benefit by the augmentation and when augmentation will enhance the entire regional, state, or area population.

Parks may not provide source animals for restorations or population enhancement when the purpose is for enhancing a population that is currently harvested in the area where the augmentation will occur (unless the enhancement is part of an approved recovery plan); when the population in the donor park will be adversely impacted by the removal of the animals; or when the removal results in an alteration in the donor park's population demographic characteristics or reduces the availability of prey to predators and scavengers.

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B or the provisions of the permit set forth other reporting requirements.

**§ 13.46 Maintenance of records.**

From the date of issuance of the permit, the permittee shall maintain complete and accurate records of any taking, possession, transportation, sale, purchase, barter, exportation, or importation of plants obtained from the wild (excluding seeds) or wildlife pursuant to such permit. Such records shall be kept current and shall include names and addresses of persons with whom any plant obtained from the wild (excluding seeds) or wildlife has been purchased, sold, bartered, or otherwise transferred, and the date of such transaction, and such other information as may be required or appropriate. Such records shall be legibly written or reproducible in English and shall be maintained for five years from the date of expiration of the permit.

[39 FR 1161, Jan. 4, 1974, as amended at 42 FR 32377, June 24, 1977; 54 FR 38150, Sept. 14, 1989]

**§ 13.47 Inspection requirement.**

Any person holding a permit under this subchapter B shall allow the Director's agent to enter his premises at any reasonable hour to inspect any wildlife or plant held or to inspect, audit, or copy any permits, books, or records required to be kept by regulations of this subchapter B.

[39 FR 1161, Jan. 4, 1974, as amended at 42 FR 32377, June 24, 1977]

**§ 13.48 Compliance with conditions of permit.**

Any person holding a permit under subchapter B and any person acting under authority of such permit must comply with all conditions of the permit and with all applicable laws and regulations governing the permitted activity.

[54 FR 38150, Sept. 14, 1989]

**§ 13.49 Surrender of permit.**

Any person holding a permit under subchapter B shall surrender such permit to the issuing officer upon notification that the permit has been suspended or revoked by the Service, and

all appeal procedures have been exhausted.

[54 FR 38150, Sept. 14, 1989]

**§ 13.50 Acceptance of liability.**

Any person holding a permit under subchapter B assumes all liability and responsibility for the conduct of any activity conducted under the authority of such permit.

[54 FR 38150, Sept. 14, 1989]

**PART 14—IMPORTATION, EXPORTATION, AND TRANSPORTATION OF WILDLIFE**

**Subpart A—Introduction**

Sec.

- 14.1 Purpose of regulations.
- 14.2 Scope of regulations.
- 14.3 Information collection requirements.
- 14.4 Definitions.

**Subpart B—Importation and Exportation at Designated Ports**

- 14.11 General restrictions.
- 14.12 Designated ports.
- 14.13 Emergency diversion.
- 14.14 In-transit shipments.
- 14.15 Personal baggage and household effects.
- 14.16 Border ports.
- 14.17 Personally owned pet birds.
- 14.18 Marine mammals.
- 14.19 Special ports.
- 14.20 Exceptions by permit.
- 14.21 Shellfish and fishery products.
- 14.22 Certain antique articles.
- 14.23 Live farm-raised fish and farm-raised fish eggs.
- 14.24 Scientific specimens.

**Subpart C—Designated Port Exception Permits**

- 14.31 Permits to import or export wildlife at nondesignated port for scientific purposes.
- 14.32 Permits to import or export wildlife at nondesignated port to minimize deterioration or loss.
- 14.33 Permits to import or export wildlife at nondesignated port to alleviate undue economic hardship.

**Subpart D [Reserved]**

**Subpart E—Inspection and Clearance of Wildlife**

- 14.51 Inspection of wildlife.
- 14.52 Clearance of imported wildlife.

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## SPECIFICATIONS FOR OTHER TERRESTRIAL

## MAMMALS

## 14.53 Detention and refusal of clearance.

## 14.54 Unavailability of Service officers.

## 14.55 Exceptions to clearance requirements.

## Subpart F—Wildlife Declarations

## 14.61 Import declaration requirements.

## 14.62 Exceptions to import declaration requirements.

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## 14.64 Exceptions to export declaration requirements.

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## Subpart H—Marking of Containers or Packages

## 14.81 Marking requirement.

## 14.82 Alternatives and exceptions to the marking requirement.

## Subpart I—Import/Export Licenses

## 14.91 License requirement.

## 14.92 Exceptions to license requirement.

## 14.93 License application procedure, conditions, and duration.

## 14.94 Fees.

## Subpart J—Standards for the Humane and Healthful Transport of Wild Mammals and Birds to the United States

## 14.101 Purposes.

## 14.102 Definitions.

## 14.103 Prohibitions.

## 14.104 Translations.

## 14.105 Consignment to carrier.

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## 14.109 Care in transit.

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## 14.112 Other applicable provisions.

## SPECIFICATIONS FOR NONHUMAN PRIMATES

## 14.121 Primary enclosures.

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## SPECIFICATIONS FOR MARINE MAMMALS (CETACEANS, SIRENIANS, SEA OTTERS, PINNIPEDS, AND POLAR BEARS)

## 14.131 Primary enclosures.

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## SPECIFICATIONS FOR ELEPHANTS AND UNULATES

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## SPECIFICATIONS FOR SLOTHS, BATS, AND FLYING LEMURS (GYROPSALIDAE)

## 14.151 Primary enclosures.

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or the Office of Management and Budget, Paperwork Reduction Project (1018-0092), Washington, DC 20503.

[63 FR 52834, Oct. 1, 1998]

## § 14.4 Definitions.

In addition to definitions contained in part 10 of this subchapter, in this part:

*Accompanying personal baggage* means all hand-carried items and all checked baggage of a person entering into or departing from the United States.

*Accredited scientist* means any individual associated with employed by, or under contract to and accredited by an accredited scientific institution for the purpose of conducting biological or medical research, and whose research activities are approved and sponsored by the scientific institution granting accreditation.

*Accredited scientific institutions* means any public museum, public zoological park, accredited institution of higher education, accredited member of the American Zoo and Aquarium Association, accredited member of the American Association of Systematic Collections, or any State or Federal government agency that conducts biological or medical research.

*Commercial* means related to the offering for sale or resale, purchase, trade, barter, or the actual or intended transfer in the pursuit of gain or profit, of any item of wildlife and includes the use of any wildlife article as an exhibit for the purpose of soliciting sales, without regard to quantity or weight. There is a presumption that eight or more similar unused items are for commercial use. The Service or the importer/exporter/owner may rebut this presumption based upon the particular facts and circumstances of each case.

*Domesticated animals* includes, but is not limited to, the following domesticated animals that are exempted from the requirements of this subchapter B (except for species obtained from wild populations).

*Mammals:* Alpaca—*Lama alpaca*; Camel—*Camelus dromedarius*; Camel (Bohrd)—*Camelus bactrianus*; Cat (domestic)—*Felis domesticus*; Cattle—*Bos taurus*; Dog (domestic)—*Canis familiaris*; European rabbit—*Oryctolagus*

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cuticulus; Ferret (domestic)—*Mustela putorius*; Goat—*Capra hircus*; Horse—*Equus caballus*; Llama—*Lama glama*; Pig—*Sus scrofa*; Sheep—*Ovis aries*; Water buffalo—*Bubalus bubalis*; White lab mice—*Mus musculus*; White lab rat—*Rattus norvegicus*.

*Fish* (For export purposes only): Carp (kol)—*Cyprinus carpio*; Goldfish—*Carassius auratus*.

*Birds:* Chicken—*Gallus domesticus*; Ducks & geese—domesticated varieties; Guinea fowl—*Nyctea nyctea*; Peafowl—*Pavo cristatus*; Pigeons (domesticated)—*Columba livia domestica*; Turkey—*Meleagris gallopavo*; Domesticated or Barnyard Mallards include: Pekin; Aylesbury; Bona; Cayuga; Gray Cal; White Cal; East Indian; Created; Swedish; Buff Orpington; Indian Runner; Campbell; Duchtair; Mercktem; Termonde; Magpie; Chinese; Khaki Campbell.

*Insects:* Crickets, mealworms, honeybees (not to include Africanized varieties), and similar insects that are routinely farm raised.

*Other invertebrates:* Earthworms and similar invertebrates that are routinely farm raised.

*Export* means to depart from, to send from, to ship from, or to carry out of, or attempt to depart from, to send from, to ship from, or to carry out of, or to consign to a carrier in any place subject to the jurisdiction of the United States with an intended destination of any place not subject to the jurisdiction of the United States, whether or not such departure, sending, or carrying, or shipping constitutes an exportation within the meaning of the Custom laws of the United States. When a passenger leaves the jurisdiction of the United States enters the designated international area of embarkation of an airport, all accompanying personal hand-carried items and checked baggage will be regarded as exports.

*Import* means to land on, bring into, or introduce into, or attempt to land on, bring into, or introduce into any place subject to the jurisdiction of the United States, whether or not such landing, bringing, or introduction constitutes an importation within the

- § 14.11 meaning of the tariff laws of the United States.  
(61 FR 3188, June 21, 1996)
- Subpart B—Importation and Exportation at Designated Ports**
- § 14.11 General restrictions.  
Except as otherwise provided in this part, no person may import or export any wildlife at any place other than a Customs port of entry designated in § 14.12.  
(45 FR 56673, Aug. 25, 1980; 45 FR 64953, Oct. 1, 1980)
- § 14.12 Designated ports.  
The following Customs ports of entry are designated for the importation or exportation of wildlife and are referred to hereafter as "designated ports":  
(a) Los Angeles, California;  
(b) San Francisco, California;  
(c) Miami, Florida;  
(d) Honolulu, Hawaii;  
(e) Chicago, Illinois;  
(f) New Orleans, Louisiana;  
(g) New York, New York;  
(h) Seattle, Washington;  
(i) Dallas/Fort Worth, Texas;  
(j) Portland, Oregon;  
(k) Baltimore, Maryland;  
(l) Boston, Massachusetts; and  
(m) Atlanta, Georgia.  
(45 FR 56673, Aug. 25, 1980, as amended at 46 FR 43835, Sept. 1, 1981; 55 FR 931, Mar. 15, 1990; 57 FR 21355, May 20, 1992; 59 FR 33212, June 28, 1994; 61 FR 3351, Feb. 2, 1996)
- § 14.13 Emergency diversion.  
Wildlife which has been imported into the United States at any port or place other than a designated port solely as a result of a diversion due to an aircraft or vessel emergency must proceed as an in-transit shipment under Customs bond to a designated port, or to any port where a permit or other provision of this part provides for lawful importation.
- § 14.14 In-transit shipments.  
(a) Wildlife destined for a point within the United States may be imported into the United States at any port if such wildlife proceeds as an in-transit shipment under Customs bond to a designated port, or to any port where a
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- permit or other provision of this part provides for lawful importation.
- (b) Except for wildlife requiring a permit pursuant to part 16, 17, 18, 21, or 23 of this subchapter B, wildlife whose foreign country is exempt from the designated port requirements of this part, if such wildlife is not unloaded within the United States.
- § 14.15 Personal baggage and household effects.  
(a) Any person may import into or export from the United States at any Customs port wildlife products or manufactured articles that are not intended for commercial use and are used as clothing or contained in accompanying personal baggage. However, this exception to the designated port requirement does not apply to any raw or dressed fur, raw, salted, or crusted hide or skin; game trophy; or to wildlife requiring a permit pursuant to part 16, 17, 18, 21, or 23 of this subchapter B.  
(b) Wildlife products or manufactured articles, including mounted game trophies or tanned hides, which are not intended for sale and are part of a shipment of the household effects of persons moving their residence to or from the United States may be imported or exported at any Customs port of entry. However, this exception to the designated port requirement does not apply to any raw fur, raw salted, or crusted hide or skin; or to wildlife requiring a permit pursuant to part 16, 17, 18, 21, or 23 of this subchapter B.
- § 14.16 Border ports.  
(a) Except for wildlife requiring a permit pursuant to part 16, 17, 18, 21, or 23 of this subchapter B, wildlife whose country of origin is Canada or the United States may be imported or exported at any of the following Customs ports of entry:  
(1) Alaska—Alcan;  
(2) Idaho—Eastport;  
(3) Maine—Calais, Houlton, Jackman;  
(4) Massachusetts—Boston;  
(5) Michigan—Detroit, Port Huron, Sault Sainte Marie;  
(6) Minnesota—Grand Portage, International Falls, Minneapolis-St. Paul;  
(7) Montana—Raymond, Sweetgrass;
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- (8) New York—Buffalo-Niagara Falls, Champlain;  
(9) North Dakota—Dunseith, Pembina, Portal;  
(10) Ohio—Cleveland;  
(11) Vermont—Dorby Line, Highgate Springs; and  
(12) Washington—Blaine, Sumas.  
(b) Except for wildlife requiring a permit pursuant to part 16, 17, 18, 21, or 23 of this subchapter B, wildlife whose country of origin is Mexico or the United States may be imported or exported at any of the following Customs ports of entry:  
(1) Arizona—Lukeville, Nogales;  
(2) California—Calxico, San Diego-San Ysidro; and  
(3) Texas—Brownsville, El Paso, Laredo.  
(c) Except for wildlife requiring a permit pursuant to part 16, 17, 18, or 21 of this subchapter B, wildlife lawfully taken by U.S. residents in the United States, Canada, or Mexico and imported or exported for noncommercial purposes, may be imported or exported at any Customs port of entry.
- § 14.17 Personally owned pet birds.  
Any person may import a personally owned pet bird at any port designated under, and in accordance with, 9 CFR part 92.
- § 14.18 Marine mammals.  
Any person subject to the jurisdiction of the United States who has lawfully taken a marine mammal on the high seas and who is authorized to import such marine mammal in accordance with the Marine Mammal Protection Act of 1972 and implementing regulations (50 CFR parts 18 and 216) may import such marine mammal at any port or place.
- § 14.19 Special ports.  
(a) Except for wildlife requiring a permit pursuant to part 16, 17, 18, 21, or 23 of this subchapter B, wildlife which is imported for final destination in Alaska, Puerto Rico, or the Virgin Islands, may be imported through those Customs ports of entry named hereafter for the respective State or Territory of final destination:  
(1) Alaska—Alcan, Anchorage, Fairbanks, Juneau;
- § 14.20 Exceptions by permit.  
Wildlife may be imported into or exported from the United States at any Customs port of entry designated in the terms of a valid permit issued pursuant to subpart C of this part.
- § 14.21 Shellfish and fishery products.  
(a)(1) General. Except for wildlife requiring a permit pursuant to part 17 or 23 of this subchapter, shellfish and fishery products imported or exported for purposes of human or animal consumption or taken in waters under the jurisdiction of the United States or on the high seas for recreational purposes may enter or exit at any Customs port.  
(2) Except for wildlife requiring a permit pursuant to part 17 or 23 of this subchapter, live aquatic invertebrates of the Class Pelecypoda (commonly known as oysters, clams, mussels, and scallops) and the eggs, larvae, or juvenile forms thereof may be exported for purposes of propagation, or research related to propagation, at any Customs port.
- (b) Pearls. Except for wildlife requiring a permit pursuant to part 17 or 23 of this subchapter, pearls imported or exported for commercial purposes may enter or exit the United States at any Customs port of entry. For the purposes of this part, all references to the

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term shellfish and fishery products will include pearls.

(61 FR 31868, June 21, 1996)

## § 14.22 Certain antique articles.

Any person may import at any Customs Service port designated for such purpose, any article (other than scrimshaw, defined in 16 U.S.C. 1539(O)(1)(E) and 50 CFR 217.12 as any art form that involves the etching or engraving of designs upon, or the carving of figures, patterns, or designs from, any bone or tooth of any marine mammal of the order Cetacea) that is at least 100 years old, is composed in whole or in part of any endangered or threatened species listed under § 17.11 or § 17.12 of this subchapter, and has not been repaired or modified with any part of any endangered or threatened species on or after December 28, 1973.

(61 FR 31868, June 21, 1996)

## § 14.23 Live farm-raised fish and farm-raised fish eggs.

Live farm-raised fish and farm-raised fish eggs meet the definition of "bred in captivity" as stated in 50 CFR 17.3. Except for wildlife requiring a permit pursuant to parts 17 or 23 of this subchapter, live farm-raised fish and farm-raised fish eggs may be exported from any U.S. Customs port.

(59 FR 41714, Aug. 11, 1994)

## § 14.24 Scientific specimens.

Except for wildlife requiring a permit pursuant to parts 16, 17, 18, 21, 22 or 23 of this subchapter, dead, preserved, dried, or embedded scientific specimens or parts thereof imported or exported by accredited scientists or accredited scientific institutions for taxonomic or systematic research purposes may enter or exit through any U.S. Customs port, or may be shipped through the international mail system. *Provided*, that this exception will not apply to any specimens or parts thereof taken as a result of sport hunting.

(61 FR 31868, June 21, 1996)

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## Subpart C—Designated Port Exception Permits

## § 14.31 Permits to import or export wildlife at nondesignated port for scientific purposes.

(a) *General.* The Director may, upon receipt of an application submitted in accordance with the provisions of this section and §§ 13.11 and 13.12 of this subchapter, and in accordance with the issuance criteria of this section, issue a permit authorizing importation or exportation of wildlife for scientific purposes at one or more named Customs port(s) of entry not otherwise authorized by subpart B. Such permits may authorize a single importation or exportation, a series of importations or exportations, or importation or exportation during a specified period of time.

(b) *Application procedure.* Applications for permits to import or export wildlife at a nondesignated port for scientific purposes must be submitted to the Director. Each application must contain the general information and certification required by § 13.12(a) of this subchapter, plus the following additional information:

(1) The scientific purpose or uses of the wildlife to be imported or exported;

(2) The number and kinds of wildlife described by scientific and common names to be imported or exported where such number and kinds can be determined;

(3) The country or place in which the wildlife was removed from the wild (if known), or where born in captivity;

(4) The port(s) of entry where importation or exportation is requested, and the reasons why importation or exportation should be allowed at the requested port(s) of entry rather than at a designated port; and

(5) A statement as to whether the exception is being requested for a single shipment, a series of shipments, or shipments over a specified period of time and the date(s) involved.

(c) *Additional permit conditions.* In addition to the general conditions set forth in part 13 of this subchapter B, permits to import or export wildlife at a nondesignated port issued under this

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section are subject to the following conditions: Permittee shall file such reports as specified on the permit, if any.

(d) *Issuance criteria.* The Director shall consider the following in determining whether to issue a permit under this section:

(1) Benefit to a bona fide scientific research project, other scientific purpose, or facilitation of the exchange of preserved museum specimens;

(2) The kind of wildlife involved and its place of origin;

(3) The reasons why the exception is requested; and

(4) Availability of a Service officer.

(e) *Duration of permits.* Any permit issued under this section expires on the date designated on the face of the permit. In no case will the permit be valid for more than 2 years from the date of issuance.

§ 14.32 Permits to import or export wildlife at nondesignated port to minimize deterioration or loss.

(a) *General.* The Director may, upon receipt of an application submitted in accordance with the provisions of this section and §§ 13.11 and 13.12 of this subchapter, and in accordance with the issuance criteria of this section, issue a permit authorizing importation or exportation of wildlife, in order to minimize deterioration or loss, at one or more named Customs port(s) of entry not otherwise authorized by subpart B. Such permits may authorize a single importation or exportation, a series of importations or exportations, or importation or exportation during a specified period of time.

(b) *Application procedure.* Applications for permits to import or export wildlife at a nondesignated port to minimize deterioration or loss must be submitted to the Director. Each application must contain the general information and certification required in § 13.12(a) of this subchapter, plus the following additional information:

(1) The number and kinds of wildlife described by scientific and common names to be imported or exported where such number and kinds can be determined;

(2) The country or place in which the wildlife was removed from the wild (if known), or where born in captivity;

(3) The port(s) of entry where importation or exportation is requested, and the reasons why importation or exportation should be allowed at the requested port(s) of entry rather than at a designated port (information must be included to show that an importation or exportation at a designated port would result in a substantial deterioration or loss of the wildlife); and

(4) A statement as to whether the exception is being requested for a single shipment, a series of shipments, or shipments over a specified period of time and the date(s) involved.

(c) *Additional permit conditions.* In addition to the general conditions set forth in part 13 of this subchapter B, permits to import or export wildlife at a nondesignated port issued under this section are to be subject to the following conditions:

(1) Permittee shall file such reports as may be specified on the permit, if any; and

(2) Permittee must pay fees in accordance with § 14.94.

(d) *Issuance criteria.* The Director shall consider the following in determining whether to issue a permit under this section:

(1) Likelihood of a substantial deterioration or loss of the wildlife involved;

(2) The kind of wildlife involved and its place of origin; and

(3) Availability of a Service officer.

(e) *Duration of permits.* Any permit issued under this section expires on the date designated on the face of the permit. In no case will the permit be valid for more than 2 years from the date of issuance.

(45 FR 56671, Aug. 25, 1980; 45 FR 54553, Oct. 1, 1980, as amended at 61 FR 31868, June 21, 1996)

§ 14.33 Permits to import or export wildlife at nondesignated port to alleviate undue economic hardship.

(a) *General.* The Director may, upon receipt of an application submitted in accordance with the provisions of this section and §§ 13.11 and 13.12 of this subchapter, and in accordance with the issuance criteria of this section, issue a permit authorizing importation or exportation of wildlife in order to alleviate undue economic hardship at one or



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more named Customs port(s) of entry not otherwise authorized by subpart B. Such permits may authorize a single importation or exportation, a series of importations or exportations, or importation or exportation during a specified period of time.

(b) *Application procedure.* Applications for permits to import or export wildlife at a nondesignated port to alleviate undue economic hardship must be submitted to the Director. Each application must contain the general information and certification required in § 13.12(a) of this subchapter, plus the following additional information:

(1) The number and kinds of wildlife described by scientific and common names to be imported or exported, where such number and kinds can be determined, and a description of the form in which it is to be imported, such as "live," "frozen," "raw hides," or a full description of any manufactured product;

(2) The country or place in which the wildlife was removed from the wild (if known), or where born in captivity;

(3) The name and address of the supplier or consignee;

(4) The port(s) of entry where importation or exportation is requested, and the reasons why importation or exportation should be allowed at the requested port(s) of entry rather than at a designated port (information must be included to show the monetary difference between the cost of importation or exportation at the port requested and the lowest cost of importation or exportation at the port through which importation or exportation is authorized by subpart B without a permit); and

(5) A statement as to whether the exception is being requested for a single shipment, a series of shipments, or shipments over a specified period of time and the date(s) involved.

(c) *Additional permit conditions.* In addition to the general conditions set forth in part 13 of this subchapter B, permits to import or export wildlife at a nondesignated port issued under this section are subject to the following conditions:

(1) Permittee shall file such reports as specified on the permit, if any, and

United States prior to release from detention by Customs officers. A Service officer must clear all wildlife to be exported from the United States prior to the physical loading of the merchandise on a vehicle or aircraft, or the containerization or palletizing of such merchandise for export, unless a Service officer expressly authorizes otherwise. Such clearance does not constitute a certification of the legality of an importation or exportation under the laws or regulations of the United States.

(b) An importer/exporter or his/her agent may obtain clearance by a Service officer only at designated ports (§14.12) at border ports (§14.16) at special ports (§14.19), or at a port where importation or exportation is authorized by a permit issued under subpart C of this part. An importer/exporter must return forthwith any wildlife released without a Service officer's clearance or clearance by Customs for the Service under authority of §14.54 to a port where clearance may be obtained pursuant to this subpart.

(c) To obtain clearance, the importer, exporter, or the importer's or exporter's agent will make available to a Service officer or a Customs officer acting under §14.54:

(1) All shipping documents (including bills of lading, waybills and packing lists or invoices);

(2) All permits, licenses or other documents required by the laws or regulations of the United States;

(3) All permits or other documents required by the laws or regulations of any foreign country;

(4) The wildlife being imported or exported; and

(5) Any documents and permits required by the country of export or re-export for the wildlife.

(45 FR 56573, Aug. 25, 1980; 45 FR 64953, Oct. 1, 1980, as amended at 50 FR 52889, Dec. 26, 1985; 61 FR 31869, June 21, 1996)

§ 14.53 Detention and refusal of clearance.

(a) *Detention.* Any Service officer, or Customs officer acting under §14.54, may detain imported or exported wildlife and any associated property. As soon as practicable following the importation or exportation and decision

to detain, the Service will mail a notice of detention by registered or certified mail, return receipt requested, to the importer or consignee, or exporter, if known or easily ascertainable. Such notice must describe the detained wildlife or other property, indicate the reason for the detention, describe the general nature of the tests or inquiries to be conducted, and indicate that if the releasability of the wildlife has not been determined within 30 days after the date of the notice, or a longer period if specifically stated, that the Service will deem the wildlife to be seized and will issue no further notification of seizure.

(b) *Refusal of clearance.* Any Service officer may refuse clearance of imported or exported wildlife and any Customs officer acting under §14.54 may refuse clearance of imported wildlife when there are responsible grounds to believe that:

(1) A Federal law or regulation has been violated;

(2) The correct identity and country of origin of the wildlife has not been established (in such cases, the burden is upon the owner, importer, exporter, consignee, or consignee to establish such identity by scientific name to the species level or, if any subspecies is protected by the laws of this country or the country of origin to the subspecies level);

(3) Any permit, license, or other documentation required for clearance of such wildlife is not available, is not currently valid, has been suspended or revoked, or is not authentic;

(4) The importer, exporter, or the importer's or exporter's agent has filed an incorrect or incomplete declaration for importation or exportation as provided in §14.61 or §14.63; or

(5) The importer, exporter, or the importer's or exporter's agent has not paid any fee or portion of balance due for inspection fees required by §14.93 or §14.94, or penalties assessed against the importer or exporter under 50 CFR part 11. This paragraph does not apply to penalty assessments on appeal in accordance with the provisions of part 11.

(61 FR 31869, June 21, 1996)

## Subpart D [Reserved]

## Subpart E—Inspection and Clearance of Wildlife

## § 14.51 Inspection of wildlife.

Subject to applicable limitations of law, Service officers and Customs officers may detain for inspection and inspect any package, crate, or other container, including its contents, and all accompanying documents, upon importation or exportation. The Director may charge reasonable fees, including salary, overtime, transportation and per diem of Service officers, for wildlife import or export inspections specially requested by the importer or exporter at times other than regular work hours or locations other than usual for such inspections at the port.

(45 FR 56573, Aug. 25, 1980; 45 FR 64953, Oct. 1, 1980, as amended at 50 FR 52889, Dec. 26, 1985)

## § 14.52 Clearance of imported wildlife.

(a) Except as otherwise provided by this subpart, a Service officer must clear all wildlife imported into the

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§ 14.54 Unavailability of Service officers.

(a) *Designated ports.* All wildlife arriving at a designated port must be cleared by a Service officer prior to Customs clearance and release. When importers or their agents expect live or perishable shipments of wildlife or wildlife products or request inspection at the time of arrival, they must notify the Service at least 48 hours prior to the estimated time of arrival. However, where a Service officer is not available within a reasonable time, Customs Officers may clear live or perishable wildlife subject to post-clearance inspection and investigation by the Service.

(b) *Border and special ports.* Wildlife lawfully imported at Canadian or Mexican border ports under § 14.16, or into Alaska, Puerto Rico, or the Virgin Islands, under § 14.19, may, if a Service officer is not available within a reasonable time, be cleared by Customs officers, subject to post-clearance inspection and investigation by the Service.

(c) *Permit imports.* Wildlife imported at a nondesignated port in accordance with the terms of a valid permit issued under subpart C of this part, may, if a Service officer is not available within a reasonable time, be cleared by Customs officers, subject to post-clearance inspection and investigation by the Service.

(d) *Personal baggage and household effects.* Wildlife lawfully imported at any port of entry under § 14.15, may, if a Service officer is not available within a reasonable time, be cleared by Customs officers, subject to post-clearance inspection and investigation by the Service.

(e) *Personally owned pet birds.* Personally owned pet birds lawfully imported at a port of entry under § 14.17, may, if a Service officer is not available within a reasonable time, be cleared by Customs officers, subject to post-clearance inspection and investigation by the Service.

(f) *Exports.* Exporters or their agents must notify the Service and make the shipment available for inspection at least 48 hours prior to the estimated time of exportation of any wildlife.

[45 FR 56673, Aug. 25, 1980, as amended at 61 FR 31869, June 21, 1996]

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177 and the importer, or the importer's agent, must certify that the information furnished is true and complete to the best of his/her knowledge and belief.

[51 FR 49390, Sept. 24, 1986]

## § 14.62 Exceptions to import declaration requirements.

(a) Except for wildlife requiring a permit pursuant to part 17 or 23 of this subchapter B, an importer or his/her agent does not have to file a Declaration for Importation or Exportation of Fish or Wildlife (Form 3-177) for importation of shellfish and fishery products imported for purposes of human or animal consumption, or taken in waters under the jurisdiction of the United States or on the high seas for recreational purposes.

(b) Except for wildlife requiring a permit pursuant to part 16, 17, 18, 21, or 23 of this subchapter B, a Declaration for Importation or Exportation of Fish or Wildlife (Form 3-177) does not have to be filed for importation of the following:

(1) Fish taken for recreational purposes in Canada or Mexico;

(2) Wildlife products or manufactured articles that are not intended for commercial use and are used as clothing or contained in accompanying personal baggage, except that an importer or his/her agent must file a Form 3-177 for raw or dressed furs; for raw, salted, or crusted hides or skins; and for game or game trophies; and

(3) Wildlife products or manufactured articles that are not intended for commercial use and are a part of a shipment of the household effects of persons moving their residence to the United States, except that an importer or his/her agent must file a declaration for raw or dressed furs and for raw, salted, or crusted hides or skins.

(c) *General declarations for certain specimens.* Notwithstanding the provisions of 14.61 and except for wildlife included in paragraph (d) of this section, an importer or his/her agent may describe in general terms on a Declaration for the Importation or Exportation of Fish or Wildlife (Form 3-177) scientific specimens imported for scientific institutions for taxonomic, systematic research, or faunal survey purposes.

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poses. An importer or his/her agent must file an amended Form 3-177 within 180 days after filing of the general declaration with the Service. The declaration must identify specimens to the most accurate taxonomic classification reasonably practicable using the best available taxonomic information. The Director may grant extensions of the 180-day period.

(d) Except for wildlife requiring a permit pursuant to part 16, 17, 18, 21, 22 or 23 of this subchapter, an importer or his/her agent does not have to file a Declaration for the Importation or Exportation of Fish or Wildlife (Form 3-177) at the time of importation for shipments of dead, preserved, dried, or embedded scientific specimens or parts thereof, imported by accredited scientists or accredited scientific institutions for taxonomic or systematic research purposes. An importer or his/her agent must file a Form 3-177 within 180 days of importation with the appropriate Assistant Regional Director—Law Enforcement in the Region where the importation occurs. The declaration must identify the specimens to the most accurate taxonomic classification reasonably practicable using the best available taxonomic information, and must declare the country of origin. Except: That this exception will not apply to any specimens or parts thereof taken as a result of sport hunting.

[45 FR 56673, Aug. 25, 1980; 45 FR 64533, Oct. 1, 1980, as amended at 61 FR 31870, June 21, 1996]

## § 14.63 Export declaration requirements.

Except as otherwise provided by the regulations of this subpart, a completed Declaration for Importation or Exportation of Fish or Wildlife (Form 3-177) signed by the exporter, or the exporter's agent, shall be filed with the Service prior to the export of any wildlife at the port of exportation as authorized in subpart B of this part. All applicable information requested on the Form 3-177 shall be furnished, and the exporter or the exporter's agent shall certify that the information furnished is true and complete to the best of his/her knowledge and belief.

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(1) Fox, nutria, rabbit, mink, chinchilla, marten, fisher, muskrat, and karakul that have been bred and born in captivity, or their products, if a signed statement certifying that the animals were bred and born in captivity accompanies the shipping documents.

(2) Fish or shellfish contained in retail consumer packages labeled pursuant to the Food, Drug and Cosmetic Act, 21 U.S.C. 301 *et seq.*; or

(3) Fish or shellfish that are landed by, and offloaded from, a fishing vessel (whether or not the catch has been carried by the fishing vessel interstate), as long as the fish or shellfish remain at the place where first offloaded.

(Approved by the Office of Management and Budget under control number 018-0022)

[52 FR 46341, Nov. 27, 1987, as amended at 61 FR 31870, June 21, 1996]

## Subpart I—Import/Export Licenses

## § 14.91 License requirement.

(a) *Prohibition.* Except as otherwise provided in this subpart, it is unlawful for any person to engage in business as an importer or exporter of wildlife without first having obtained a valid import/export license from the Director.

(b) *Definition.* As used in this subpart, the phrase *engage in business as an importer or exporter of wildlife* means for a person to devote time, attention, labor, or effort to any activity for gain or profit that involves the importation or exportation of wildlife whether or not such person is an importer or exporter within the meaning of the customs laws of the United States.

(c) *Certain persons required to be licensed.* The definition in paragraph (b) of this section includes, but is not limited to, persons who import or export wildlife for commercial purposes:

(1) For trade, sale, or resale, such as animal dealers, animal brokers, pet dealers, pet suppliers, and laboratory research suppliers;

(2) In the form of fur for tanning, manufacture, or sale, such as fur trappers, dealers, brokers, and manufacturers;

(3) In the form of hides and skins for tanning, manufacture, or sale, such as

(A) The common name that identifies the species (examples include: Chinook (or king) salmon; bluefin tuna; and whitetail deer) and whether or not the listed species is venomous; and

(B) The number of that species (or other appropriate measure of quantity such as gross or net weight).

The invoice, packing list, bill of lading, or equivalent document must be securely attached to the outside of one container or package in the shipment or otherwise physically accompany the shipment in a manner which makes it readily accessible for inspection; or

(2) Affixing the shipper's wildlife import/export license number preceded by the three letters "FWS" on the outside of each container or package containing fish or wildlife, if the shipper has issued under authority of 50 CFR part 14. For each shipment marked in accordance with this paragraph, the records maintained under § 14.93(c) must include a copy of the invoice, packing list, bill of lading, or other similar document that accurately states the information required by paragraph (a)(1)(i) of this section.

(3) In the case of subcontainers or packages within a larger packing container, only the outermost container must be marked in accordance with this section. Except that for live fish or wildlife that are packed in subcontainers within a larger packing container, if the subcontainers are numbered or labeled, the packing list, invoice, bill of lading, or other similar document, must reflect that number or label. However, each subcontainer containing a venomous species must be clearly marked as venomous.

(4) A conveyance (truck, plane, boat, etc.) is not considered a container for purposes of requiring specific marking of the conveyance itself, provided that:

(i) The fish or wildlife within the conveyance is carried loosely or is readily identifiable, and is accompanied by the document required by paragraph (a)(2)(ii) of this section, or

(ii) The fish or wildlife is otherwise packaged and marked in accordance with this subpart.

(b) The requirements of § 14.81 do not apply to containers or packages containing—

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(c) Except for wildlife requiring a period pursuant to parts 17 or 23 of this subchapter, a Declaration for the Importation or Exportation of Fish or Wildlife (Form 3-177) does not have to be filed for the exportation of live farm-raised fish and farm-raised fish eggs as defined in § 14.23.

[45 FR 56673, Aug. 26, 1980, as amended at 59 FR 41714, Aug. 15, 1994; 61 FR 31870, June 21, 1996]

## Subpart G [Reserved]

## Subpart H—Marking of Containers or Packages

SOURCE: 52 FR 45341, Nov. 27, 1987, unless otherwise noted.

## § 14.81 Marking requirement.

Except as otherwise provided in this subpart, no person may import, export, or transport in interstate commerce any container or package containing any fish or wildlife (including shellfish and fishery products) unless he/she marks each container or package conspicuously on the outside with both the name and address of the shipper and consignee. An accurate and legible list of its contents by species scientific name and the number of each species and whether or not the listed species are venomous must accompany the entire shipment.

[61 FR 31870, June 21, 1996]

## § 14.82 Alternatives and exceptions to the marking requirement.

(a) The requirements of § 14.81 may be met by complying with one of the following alternatives to the marking requirement:

(1)(i) Conspicuously marking the outside of each container or package containing fish or wildlife with the word "fish" or "wildlife" as appropriate for its contents, or with the common name of its contents by species, and

(ii) Including an invoice, packing list, bill of lading, or similar document to accompany the shipment which accurately states the name and address of the shipper and consignee, states the total number of packages or containers in the shipment, and for each species in the shipment specifies:

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## § 14.64 Exceptions to export declaration requirements.

(a) Except for wildlife requiring a permit pursuant to part 17 or 23 of this subchapter E, an exporter or his/her agent does not have to file a Declaration for Importation or Exportation of Fish or Wildlife (Form 3-177) for the exportation of shellfish and fishery products exported for purposes of human or animal consumption or taken in waters under the jurisdiction of the United States or on the high seas for recreational purposes, and does not have to file for the exportation of live aquatic invertebrates of the Class Pelecypoda (commonly known as oysters, clams, mussels, and scallops) and the eggs, larvae, or juvenile forms thereof exported for purposes of propagation, or research related to propagation.

(b) Except for wildlife requiring a permit pursuant to part 16, 17, 18, 21, or 23 of this subchapter B, a Declaration for the Importation or Exportation of Fish or Wildlife (Form 3-177) does not have to be filed for the exportation of the following:

(1) Wildlife that is not intended for commercial use where the value of such wildlife is under \$200;

(2) Wildlife products or manufactured articles, including game trophies, that are not intended for commercial use and are used as clothing or contained in accompanying personal baggage or are part of a shipment of the household effects of persons moving their residence from the United States; and

(3) Shipments of dead, preserved, dried, or embedded scientific specimens or parts thereof, exported by accredited scientists or accredited scientific institutions for taxonomic or systematic research purposes. An exporter or his/her agent must file a Form 3-177 within 180 days of exportation with the appropriate Assistant Regional Director—Law Enforcement in the Region where the exportation occurs. The declaration must identify the specimens to the most accurate taxonomic classification reasonably practicable using the best available taxonomic information. Exporter must declare the country of origin. Except: That this exception will not apply to any specimens or parts thereof taken as a result of sport hunting.

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hide, skin, and leather dealers, brokers, manufacturers, and processors;

(4) In the form of products (such as garments, bags, shoes, boots, jewelry, rugs, or curios) for sale, such as wholesalers, retailers, distributors, and brokers;

(5) As taxidermists in connection with the mounting, processing, or storage of trophies or specimens;

(6) As freight forwarders; and

(7) In the form of food products taken from populations of non-domesticated animals.

[45 FR 56873, Aug. 25, 1980, as amended at 61 FR 31871, June 21, 1996]

## § 14.92 Exceptions to license requirement.

(a) *Certain wildlife.* Any person may engage in business as an importer or exporter of the following wildlife without procuring an import/export license:

(1) Shellfish and fishery products that do not require a permit under part 17 or 23 of this subchapter B and that are imported or exported for purposes of human or animal consumption;

(2) Shellfish and fishery products that do not require a permit under part 17 or 23 of this subchapter B and that are taken in waters under the jurisdiction of the United States or on the high seas for recreational purposes;

(3) Fox, nutria, rabbit, mink, chinchilla, marten, fisher, muskrat, and karakul and their products if the animals have been bred and born in captivity;

(4) Live farm-raised fish and farm-raised eggs of species not requiring a permit under part 17 or 23 of this subchapter B that are being exported;

(5) Live aquatic invertebrates of the Class Pelecypoda (commonly known as oysters, clams, mussels, and scallops) and the eggs, larvae, or juvenile forms thereof exported for purposes of propagation or research related to propagation; and

(6) Pearls imported or exported for commercial purposes.

(b) *Certain persons.* The following persons may engage in business as importers or exporters of wildlife without procuring an import/export license: *Proviso.* That such persons keep such records as will fully and correctly disclose each importation or exportation

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the names and addresses of all partners and principal officers;

(3) A statement of where books or records concerning wildlife imports or exports will be kept;

(4) A statement of where inventories of wildlife will be stored; and

(5) Name, address, and telephone number of the officer, manager, or other person authorized to make records or wildlife inventories available for examination by Service officials.

(c) *Additional license conditions.* In addition to the general conditions set forth in part 13 of this subchapter B, import/export licenses are subject to the following special conditions:

(1) The licensee shall, from the effective date of the license, keep such records as will fully and correctly disclose each importation or exportation of wildlife made by the licensee and the subsequent disposition made by the licensee with respect to such wildlife. The records must include a general description of the form of the wildlife, such as "live," "raw hides," or "fur garments;" the quantity of wildlife, in numbers, weight, or other appropriate measure; the common and scientific names; the country or place of origin of the wildlife, if known; the date and place of import or export; the date of the subsequent disposition of the wildlife; the manner of disposition, whether by sale, barter, consignment, loan, delivery, destruction, or other means; and the name and address of the person who received the wildlife pursuant to such disposition, if applicable;

(2) Licensees shall include and retain in their records copies of all permits required by the laws and regulations of the United States and any country of export or origin;

(3) Licensees shall maintain such books and records for a period of five years;

(4) Subject to applicable limitations of law, licensees must provide duly authorized Service officers at all reasonable times, upon notice, access to the licensee's places of business and give an opportunity to examine the licensee's inventory of imported wildlife and the records required to be kept under paragraph (c)(1) of this section, and give an opportunity to copy such records;

(5) Licensees shall maintain such books and records for a period of five years;

(6) Subject to applicable limitations of law, licensees must provide duly authorized Service officers at all reasonable times, upon notice, access to the licensee's places of business and give an opportunity to examine the licensee's inventory of imported wildlife and the records required to be kept under paragraph (c)(1) of this section, and give an opportunity to copy such records;

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(5) Licensees must, upon written request by the Director, submit within 30 days of such request a report containing the information required to be maintained by paragraph (c)(1) of this section.

(6) An import/export license is only permission to engage in business as an importer or exporter of wildlife. Such a license is in addition to, and does not supersede, any other requirement established by law for the importation or exportation of wildlife.

(7) Licensees agree to pay, as a condition of the license, reasonable user fees for inspections of commercial wildlife shipments imported or exported under the authorization of the license.

(d) *Duration of license.* Any license issued under this section expires on the date designated on the face of the license. In no case will the license be valid for more than 1 year from the date of issuance.

(e) *Issuance, denial, suspension, revocation, or renewal of license.* Payment of all license and inspection fees shall be a condition of the license. It shall be grounds for suspension or revocation of a license, or for denial or renewal of a license, or of grant of a new import/export license to any person named as the holder, or a principal officer or agent of a holder, of a previous license issued pursuant to this subpart, that any license fees or any fees owing for inspections of wildlife shipments remain unpaid at the time of application for renewal or of new application. Additional provisions governing the issuance, denial, suspension, revocation, and renewal of an import/export license are found in part 13 of this subchapter B.

[45 FR 56873, Aug. 25, 1980, as amended at 50 FR 52890, Dec. 26, 1985; 61 FR 31871, June 21, 1996]

## § 14.94 Fees.

(a) *License and inspection fees.* The Service will impose a yearly fee for a license pursuant to § 14.93. In addition, each licensee must pay an inspection fee for each wildlife shipment imported into or exported from the United States at a designated port. The Service may charge importers or exporters of wildlife, regardless of being

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licensed as a commercial importer or exporter, a fee for overtime for inspections that begin before normal working hours, that extend beyond normal working hours, or are on a holiday, Saturday, or Sunday if the importer/exporter requested that the inspection be performed outside normal work hours. Overtime fees consist of an increased hourly rate equal to 1½ times the average hourly rate of a journeyman level wildlife inspector. Overtime fees will be in addition to inspection fees imposed for license holders at designated ports. If an importer/exporter presents a shipment for inspection during normal work hours but the Service cannot perform the inspection during normal work hours on that day, the service will give the importer/exporter the option of performing the inspection later during normal work hours or charging for overtime. The Service's ability to perform inspections during overtime hours will depend on the availability of Service personnel. The Service will use the following parameters when calculating the overtime fee:

- (1) Inspection overtime commences when a Service officer departs that officer's residence or official duty station enroute to the inspection site or at the end of normal work hours. Inspection overtime terminates when the officer returns to the point of departure or official duty station or when the inspection is completed, whichever occurs later.
- (2) For an inspection at a designated port beginning less than 1 hour before normal work hours, the Service will charge 1 hour of time, at an hourly rate of 1½ times the average hourly rate of a journeyman level Wildlife Inspector. For all other overtime inspections at a designated port the Service will charge a minimum of 2 hours of time, at an hourly rate of 1½ times the average hourly rate of a journeyman level Wildlife Inspector, except that for all inspections performed on a federal holiday the Service will charge a minimum of 2 hours at twice the average hourly rate of a journeyman level Wildlife Inspector.
- (3) The Service will charge any inspection time in excess of the 2-hour minimum in quarter hour increments.

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at the same hourly rate as the first 2 hours. The Service will round up inspection time of 10 minutes or more to the next quarter hour and will disregard any time less than 10 minutes.

(4) The fee schedule will apply to all inspections regardless of importer/exporter of record, except that the Service will charge multiple shipments consigned to the same importer/exporter and inspected at one location one 2-hour minimum or actual time, whichever is greater.

(c) *Nondesignated port fees.* The Service will charge permittees issued permits under subpart C of this part, and licensed commercial importers and exporters a fee for inspections at nondesignated ports. The fees consist of a flat administrative fee plus a minimum of two hours of time at staffed nondesignated ports. The Service will use the following parameters when calculating fees:

- (1) During normal working hours the Service will charge permittees issued permits under subpart C of this part, regardless of being licensed as a commercial importer or exporter, an administrative fee plus a minimum of 2 hours of time at the average hourly rate of a journeyman level wildlife inspector. The Service will charge permittees requesting clearance outside normal working hours, including Saturday and Sunday, an administrative fee plus a minimum of 2 hours of time at 1½ times the average hourly rate of a journeyman level wildlife inspector, except that for all inspections performed on a federal holiday the Service will charge a minimum of 2 hours at twice the average hourly rate of a journeyman level wildlife inspector.
- (2) The Service will charge any inspection time in excess of the 2-hour minimum in quarter hour increments at the same hourly rate as the first 2 hours. The Service will round up inspection times of 10 minutes or more to the next quarter hour and will disregard any time less than 10 minutes.
- (3) The Service will not charge importers or exporters who are not required to have a permit under subpart C of this part, except that the Service

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will charge licensed importers or exporters an administrative fee only during normal working hours, and overtime hourly rates and minimums will apply outside normal working hours.

(4) For inspections performed under a permit issued under subpart C of this

part at nondesignated ports with no permanent Service law enforcement staff, the Service will charge all costs associated with inspection and clearance, including, salary, travel and transportation costs, and per diem.

(d) Schedule.

General Fees	
Import/Export license fee .....	\$50 per year.
Inspection fee .....	\$55 per shipment.
Inspection Fee Schedule	
Designated ports: Licensees:	
Inspections during normal work hours .....	\$55 inspection fee
Inspections beginning less than 1 hour before normal work hours .....	\$55 inspection fee plus \$30. minimum at \$30/hr.
Inspections beginning more than 1 hour before normal work hours .....	\$55 inspection fee plus 2 hour minimum at \$30/hr.
Inspections after normal work hours (including Saturdays and Sundays) .....	\$55 inspection fee plus 2 hour minimum at \$30/hr.
Inspections on federal holidays .....	\$55 inspection fee plus 2 hour minimum at \$40/hr.
Designated ports: Nonlicensees:	
Inspection during normal work hours .....	No charge.
Inspections beginning outside normal work hours .....	2 hour minimum at \$30/hr.
Staffed nondesignated ports: Subpart C permit holders, regardless of license status:	
Inspections during normal work hours .....	\$55 Administrative fee plus 2 hour minimum at \$20/hr.
Inspections beginning outside normal work hours (including Saturdays and Sundays) .....	\$55 Administrative fee plus 2 hour minimum at \$30/hr.
Inspections on federal holidays .....	\$55 Administrative fee plus 2 hour minimum at \$40/hr.
Nonsafed nondesignated ports:	
Inspections during normal work hours .....	\$55 Administrative fee plus all costs associated with inspection and clearance.
Staffed nondesignated ports: No subpart C permit required (Border/Special Ports):	
Import/export license holders .....	\$55 Administrative fee.
All others .....	No charge.

(1) The Service will not refund any fee or any portion of any license or inspection fee or excuse payment of any fee because importation or clearance of wildlife shipment is refused for any reason.

(2) [Reserved]

(61 FR 31871, June 21, 1996)

Subpart J—Standards for the Humane and Healthful Transport of Wild Mammals and Birds to the United States

(14.101) Purposes.

The purpose of this subpart is to prescribe requirements necessary to ensure that live wild mammals and birds shipped to the United States arrive alive, healthy, and uninjured, and that transportation of such animals occurs under humane and healthful conditions. These regulations implement section 9(d) of the Lacey Act Amendments of 1981.

§ 14.102 Definitions.

In addition to the definitions contained in part 10 of subchapter B of this chapter, in this subpart—

Source: 57 FR 27118, June 17, 1992, unless otherwise noted.

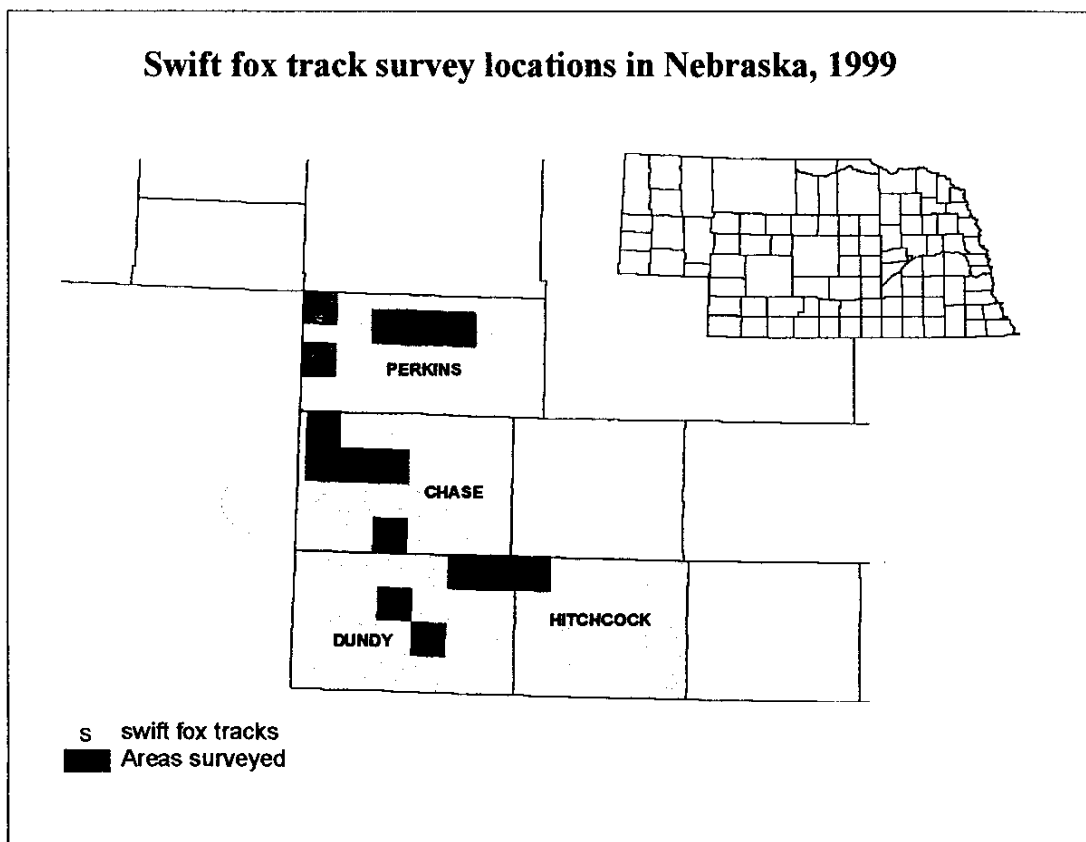
## SUMMARY OF THE 1999 SWIFT FOX TRACK SURVEY IN NEBRASKA

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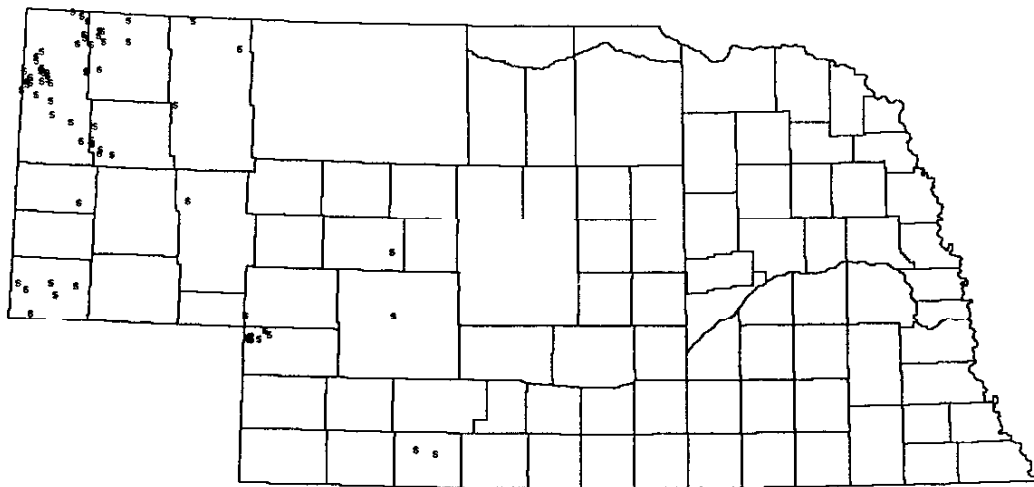
A track survey was conducted during 1999 in an effort to determine the presence of swift fox in southwest Nebraska. This part of the state has not been the target of previous surveys. Areas were selected based on the absence of significant amounts of sandy soil and on the absence of significant topographic relief and drainage. Fieldwork was contracted out to one trapper, who has previously participated in similar surveys during swift fox investigations in Kansas.

The survey method was similar to the one described by Christiane C. Roy in the 1998 report by the swift fox conservation team. A total of 602.2 miles in 15 townships were searched for tracks between September 18 and September 23, 1999. Each Township was searched for 2 hours. On average 40.2 miles were searched per township. The survey was limited to 15 townships due to budgetary constraints.

Swift fox tracks were found on only one occasion, in Perkins County, (T11N R41W). This site is associated with 3 earlier sightings in its vicinity in 1982, 1984 and 1985.



### Swift fox observations in Nebraska



- Locations of tracks found in 1999
- Confirmed observations 1966-1997

## MONTANA SWIFT FOX MANAGEMENT ACTIVITIES

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### ABSTRACT

Swift fox (*Vulpes velox*) management activities in 1999 consisted of Fish, Wildlife and Parks (FWP) funding and completing the initial phase of a statewide survey that will determine current species distribution in Montana. The Canadian Swift Fox Recovery Team continued to move forward with planning the international swift fox census for the winter of 2000-2001. FWP and the U.S. Bureau of Land Management (BLM) are developing a cost-share proposal to fund the Montana portion of this census in northcentral Montana, which is adjacent to the Canadian swift fox population. FWP sponsored the second annual Montana Swift Fox Working Group meeting on the Blackfeet Reservation at the captive swift fox reintroduction site. The Blackfeet Fish & Wildlife cooperated with private organizations to release 15 animals in 1999, with FWP providing radio collars to monitor several of the foxes. Conservation and management activities underway or in development, which relate to Montana's commitment to the national Swift Fox Conservation Team (SFCT) conservation strategy objectives (Kahn et al. 1997) are discussed.

### INTRODUCTION

FWP continues to address the swift fox conservation strategy objectives as outlined in the Conservation Assessment and Conservation Strategy of Swift Fox in the United States (CACs) (Kahn et al. 1997). To date, Montana has completed swift fox habitat surveys in the central and eastern portions of the state (Obj. 5) (Giddings and Knowles 1995), completed swift fox research to determine status and delineate species distribution (Obj. 2) (Zimmerman and Giddings 1997), and investigated swift fox biology and ecology (Obj. 10) (Zimmerman 1998). Montana remains an active member of the SFCT (Obj. 1) and FWP leads the state swift fox working group (Obj. 1) which will provide an avenue to accomplish Objectives 3, 5, and 8 by 1999-2000.

### METHODS

A statewide swift fox distribution survey was initiated during 1999. Survey design generally followed the sampling technique developed and reported by Roy et al. (1998) in Kansas. This survey method appeared to be efficient and cost-effective at a broad landscape level. A systematic sampling of alternate townships in a checkerboard pattern were selected in the northern half of seven northcentral Montana counties. The survey was conducted by private wildlife contractors between mid-August through October when detection of swift fox is assumed to be at its highest during pup dispersal and prior to the big game hunting season. Experienced observers delineated swift fox habitat (prairie grasslands) within each sampled township and would search it for evidence of occurrence (tracks, den sites, scat, foxes) by swift fox. Other species occurrences were recorded for state furbearers such as bobcat (*Lynx rufus*), predators such as coyote (*Canis latrans*) and skunk (*Mustela mephitis*), and nongame species such as badger (*Taxidea taxus*), raccoon (*Procyon lotor*), and red fox (*Vulpes vulpes*).



Occurrences of prey species such as cottontail rabbits (*Sylvilagus spp.*) and whitetailed jackrabbits (*Lepus townsendii*) were also recorded. Survey protocol dictated that each township is searched for a minimum of 30 minutes, unless no detection occurs, whereas searches would continue until swift fox are detected or for a maximum time period of 120 minutes. Searches occurred on accessible public land (federal and state lands) or along publicly accessible secondary roads and trails adjacent to private lands. Search emphasis was in or along prairie grassland habitats where bare soil was available, such as cattle trails, water tanks, fence corners, and prairie dog towns. Observers would move around to different areas in a township to search for sign within the allocated time period. Surveys were conducted 12 hours after rainfall and when wind speed was less than 15-20 mph.

FWP and the BLM initiated the development of a cost-share proposal to fund the Montana portion of the international swift fox census with Canada. The Canadian Swift Fox Recovery Team continued to move forward with the planning and funding stages of the census, which is scheduled to be conducted during the winter of 2000-2001 (A. Moehrenschrager, pers. comm.).

Participants of the Montana Swift Fox Working Group met for a day in August 1999 at the Blackfeet Tribal ranch reintroduction site. The group discussed and observed the reintroduction effort and reviewed the release protocol. The purpose of the meeting was to begin delineating prairie grassland habitat blocks, corridors, and corresponding land ownership patterns in the state. A current swift fox distribution map will be available through FWP upon completion of a statewide species occurrence database. Land ownership and cover type layers will be mapped with swift fox distribution to provide a focus for initial conservation activities by state and federal agencies.

The Blackfeet Nation tribal ranch received swift fox for their ongoing reintroduction effort in August 1999, in cooperation with Defenders of Wildlife and the Cochrane Ecological Institute, a captive-breeding facility in Canada. FWP's state furbearer program purchased new and refurbished radio collars for the monitoring of several released foxes. This will assist in evaluating the reintroduction program.

## RESULTS

One hundred and fifty two alternate townships were surveyed for swift fox sign in northern Glacier, Toole, Liberty, Hill, Blaine, Phillips, and Valley counties during 1999. Contractors were paid \$50/township for a total cost of \$7,600. Survey results indicating townships where swift fox sign was detected are illustrated in Figure 1. Of the 20 townships that produced swift fox sign, tracks were the primary means of detecting swift fox during the survey. Scat and den sites were also used as evidence of swift fox presence in several townships. No swift fox were observed during the survey period.

FWP coordinated planning efforts with the Canadian Swift Fox Recovery Team toward the 2000-2001 census effort. Information was provided to FWP to clarify timetables, methodology, field operations, and define funding needs. FWP initiated coordination activities with the BLM to develop a cost-share proposal to fund the Montana portion of the international census.

The Montana Swift Fox Working Group meeting provided an opportunity to review species status information and focus on identifying swift fox habitats in the state. A need was identified for FWP to create a species occurrence database, which was later accomplished using a Microsoft Access edit/entry program (L. Bailey, pers. comm.). Historic and current statewide swift fox distribution maps were generated from this data (Figs. 2 and 3). A cover type layer and land ownership layer will be added to the distribution map for state working group members for distribution to state, federal, and tribal wildlife/land managers next year. This information along with state working group conservation efforts will be provided to the national SFCT, in addition to the Canadian Swift Fox Recovery Team to assist in designing the international census.

Fifteen captive-raised swift fox from the Cochrane Ecological Institute were released in August, 1999 onto the Blackfeet tribal ranch. This second year of the reintroduction effort was again funded by Defenders of Wildlife. An overview of the release site and release protocol is provided in Giddings (1998). FWP provided eight radio collars for this release and attached six of the collars at the Cochrane Ecological Institute several weeks prior to release. The remaining two collars were attached to individual foxes at a later time during the release period by Cochrane Ecological Institute staff.

## DISCUSSION

FWP considers the determination of present swift fox distribution in Montana as a significant step toward the state and national efforts with regards to population monitoring activities and specific conservation measures. During the first year of a three-year statewide survey effort, FWP utilized the Kansas survey design because it was anticipated that this survey could become a standardized swift fox detection method that would be recommended by the SFCT. This technique was applied and evaluated in Montana during 1999.

This survey method appeared to be an efficient and cost-effective approach to define species distribution at a landscape level, although it was apparently not as effective in detecting overall species presence in Montana as has been reported in Kansas. Montana results indicate the survey did replicate known species distribution, although it did not "fill in" this distribution as well as expected. The survey detected swift fox sign in 13% of the townships surveyed, rather than the expected results of closer to 25% of the townships. However, survey results did detect an apparent westward range expansion of swift fox in to western Hill and Toole counties and was sensitive enough to detect the presence of a small reintroduced swift fox population on the Blackfeet Reservation in Glacier county. Determining current species distribution in the state will provide the baseline data needed to measure population expansion or contraction during monitoring activities in the future.

A field evaluation of this survey technique indicates species detection is dependent upon locating swift fox tracks. This was a relatively difficult task on the hard pan soil substrates present in northcentral Montana, as opposed to the moist sandy/loam soil types in Kansas. Soils in much of eastern Montana are composed primarily of clay or glaciated gravel. Survey coverage was also limited to some extent due to time constraint that precluded attempts to access private lands to

conduct search efforts. Overall however, survey efficiency, cost-effectiveness, and detection rates probably justify continuing the use of this survey method into additional areas of eastern Montana.

The Canadian Swift Fox Recovery Team has expressed an interest in determining a population estimate for the biological swift fox population that straddles the international border. This population was a direct result of the Canadian swift fox reintroduction program that begun in the mid-1980s. This population occupies Alberta, Saskatchewan, and Montana. Extending the census in to northcentral Montana is an effort to evaluate the overall success of the reintroduction program by combining population estimates for the adjacent Canada/U.S. populations. This is anticipated to provide a higher population figure, which may be closer to the size of the Canadian post-reintroduction goal of a self-sustaining population. The Canadian swift fox recovery team will also be looking at genetics, population structure, disease, and population viability. FWP expects to participate, depending on cost-share funding with the BLM. Field activities could occur during the winter period of 1999-2000.

Members of the state's swift fox working group are interested in accomplishing the SFCT conservation strategy objectives outlined in Kahn et al. (1997) for Montana (Appendix A). Activities have already been initiated to achieve these long-term objectives. FWP will provide maps to working group members, which delineate swift fox distribution in relation to land ownership patterns and vegetative cover types. It is anticipated that working group activities and mapping efforts will initially lead to conservation planning on the part of federal land management agencies. The working group will help coordinate future activities directed at habitat protection and maintaining habitat connectivity.

The Blackfeet release site is located in suitable swift fox habitat where foxes have access to additional tracts of extensive prairie grasslands. A resident wild swift fox population exists less than 90 miles from the reintroduction area. During the second year of this four-year program, there is good evidence of survival and early population establishment. Of the eight (out of 15) monitored foxes, two mortalities occurred soon after release. However, out of the six remaining collars, five were located during the following summer. Natal den sites have been located from several of the collared foxes, all with pups present. The 1999 post-release survey detected additional foxes within and outside the immediate release area. Family groups were also reported observed prior to the 1999 release.

All captive-raised foxes are expected to be monitored by radio collars from the 2000 release (M. Johnson, pers. comm.). This effort will aid in evaluating the reintroduction program by documenting mortality, survival, dispersal distance, residency, natal den sites locations, and reproductive or recruitment success. Fortunately, changes are taking place as the reintroduction progresses to provide a more scientifically based evaluation. This private program has the potential to help promote species restoration in Montana and the northern range of the swift fox.

Status of swift fox conservation strategy action items scheduled for completion in 1999:

3.3.1 Completed. Utilizing the Kansas (Roy et al. 1998) alternate township sign survey

- detection method.
- 3.1.2 Completed. Coordinate compilation of state species occurrence reports. State occurrence database established. Conducted first year of an anticipated three-year statewide swift fox distribution survey.
- 3.1.3 Not completed. Montana swift fox harvest season remains closed.
- 5.1.1 Completed. Utilized SFCT habitat literature review (Hoagland 1997) and state working group developing landscape level habitat criteria from GIS based vegetative cover types.
- 5.1.2 Completed. Completed on statewide level and GIS map layer, ongoing field activities.
- 5.1.3 Completed. Vegetative cover type layer available, mapped with species distribution.
- 8.1.1 Not completed. Swift fox distribution and suitable habitat maps and data will be available and provided to state working group members and cooperators during 2000.

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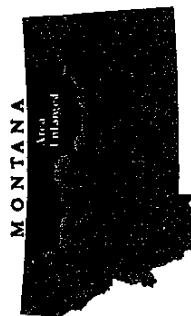
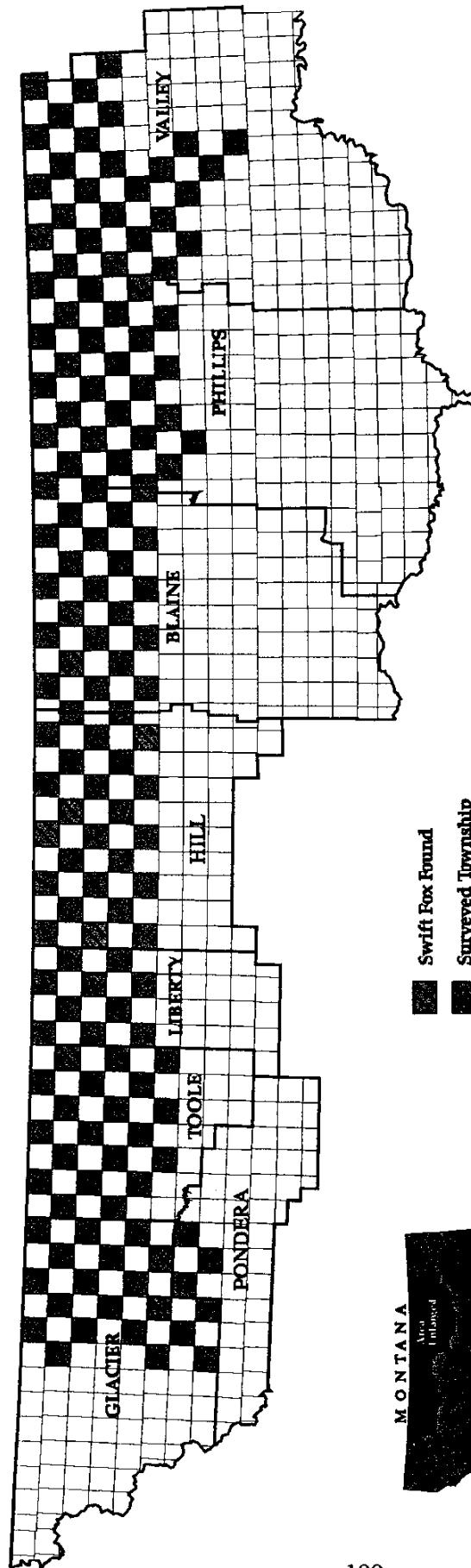
#### APPENDIX A.

**SWIFT FOX CONSERVATION STRATEGY**  
**Schedule of Actions**

Objective	Strategy	Action	Priority	Begin Date	Completion Date
1. Establish a swift fox conservation team	1.1 Interstate/interagency SFCT composition.	1.1.1 Responsibilities defined.	1	Functional by 1996	
		1.1.2 Annual Report	1	Feb. 1 each year	
		1.1.3 State swift fox working groups formed	1	Active by 1997	
2. Determine current species distribution	2.1 Document the present distribution of swift fox	2.1.1 State Wildlife Agencies collect and compile existing distribution data internally and from cooperators	1		1997
		2.1.2 State Wildlife Agencies to generate initial statewide Distribution Maps	1		1997
3. Monitor swift fox population status	3.1 Develop and implement statewide monitoring programs that provide population trend information and detect changes in local distribution	3.1.1 Technical committee plan for methodology to state working group	2		by 1998
		3.1.2 State Wildlife Agencies to coordinate and implement monitoring activities for existing resident populations	2	2000	
		3.1.3 CO, WY, KS, NM, and TX (legal harvest states) will initiate pelt tagging and mandatory carcass collection.	2	No timetable specified	
4. Determine minimum viable population estimates and maintain genetic integrity	4.1 Identify and encourage studies that will determine minimum viable population estimates and determine and monitor genetic diversity among state populations.	4.1.1 Investigate minimum population viability through population monitoring, biological research and natal den studies.	4	No timetable specified	
		4.1.2 Technical committee to resolve taxonomic issues & investigate the genetic integrity of the U.S swift fox population.	4	No timetable specified	
		4.1.3 Conduct periodic genetic variation testing and analysis. Each state should support testing at 5 year intervals	4	No timetable specified.	
5. Identify existing native shortgrass / midgrass prairie ecosystem and other suitable swift fox habitats	5.1 Develop swift fox habitat criteria 5.2 Identify and delineate existing suitable habitat within each state.	5.1.1 SFCT to develop habitat criteria	2		by 1998
		5.2.1 Each State Wildlife Agency will coordinate with other gov. and private landowners to conduct habitat surveys and inventories.	2		by 2000
		5.2.2 Each State Wildlife Agency will delineate available habitat on state cover maps.	2	2002	
6. Promote habitat conservation and management in occupied and suitable habitat	6.1 Identify and delineate public lands under federal or state management control in occupied or suitable habitat.	6.1.1 Identify and evaluate the levels of legal protection provided on public lands.	3		By 2004

6. Promote habitat conservation and management in occupied and suitable habitat	6.1 Identify and delineate public lands under federal or state management control in occupied or suitable habitat.	6.1.2 Each State Wildlife Agency will initiate habitat protection agreements with other government agencies for public land.	3		By 2005
		6.1.3 Each State Wildlife Agency is to identify and delineate habitat corridors and blocks through mapping to direct conservation measures, agreements or enhancement efforts.	3	No timetable specified	
	6.2 Identify and delineate private land ownership patterns in occupied and suitable habitat.	6.2.1 Each State Wildlife Agency will evaluate and prioritize private lands in identified areas to implement land conservation efforts	3		by 2005
7. Expand distribution of U.S. swift fox population to potentially occupy 50% of the available suitable habitat.		6.2.2 Implement methods & techniques to gain and maintain cooperation with private landowners that may (will) influence range management techniques. Efforts to be directed 1 at occupied habitat and 2 at available suitable habitat.	3	No timetable specified.	
	7.1. Expand existing distribution of state populations and restore swift fox to unoccupied suitable habitat.	7.1.1. Each state working group will develop criteria and establish priority areas.	4	No timetable specified	
		7.1.2. Each state working group should provide recommendations to state wildlife agency and cooperators on priorities and timetables to implement population restoration efforts if needed.	4		By 2002
		7.1.3. Technical committee to evaluate captive fox releases and make recommendations.	4		By 2002
	7.2. Monitor and identify new, continued, or diminishing threats to swift fox population expansion.	7.2.1. Technical committee to provide information & recommendations to state agencies as guidelines to interspecific competitor control.	3	No timetable specified.	
8. Integrate swift fox conservation strategy objectives with management and habitat objectives of other prairie ecosystem species		7.2.2. Coordinate w/APHIS on the development of coyote control program that maximize (expand) swift fox populations in areas where interspecific competition is identified as limiting or detrimental.	3	No timetable specified.	
		7.2.3. Each state working group may recommend, based on current info, site-specific needs where coop w/APHIS control activities would assist in expanding a swift fox pop.	3	No timetable specified.	
	8.1 Provide swift fox distribution and suitable habitat information for prairie ecosystem mapping efforts and GAP analysis.	8.1.1. SFCT and state working groups are to provide this information to cooperating federal agencies, universities, conservation organizations.	2		No timetable specified.
	8.2. SFCS may be subject to periodic revision to incorporate related objectives and strategies which may be outlined in other prairie species conservation plans.	8.2.1. The SFCT will review the need to update or revise the SFCS.	4	No timetable specified.	

9. Promote scientific swift fox management and a public education program.	9.1. Provide a scientific basis for swift fox management and an avenue for technical information exchange.	9.1.1. The SFCT and state working groups will collect and compile current technical literature and management information for distribution to appropriate state and federal managers and other interested individuals.	3	No timetable specified.
		9.1.2. The SFCT and state working groups will provide recommendations on standard management guidelines... to wildlife and land managers, government entities, land planners, and state and federal policy makers.	3	No timetable specified.
		9.1.3. The SFCT may produce a document on the scientific basis for conserving swift fox to be used by wildlife managers.	3	No timetable specified.
	9.2. Promote public support of swift fox conservation.	9.2.1. The SFCT will develop informational and educational materials.	4	No timetable specified.
		9.2.2. Each state working group will develop the structure of an I&E program in their state.	4	No timetable specified.
		9.2.3. The SFCT and/or state working groups are to jointly develop an informational package and educational initiative for private landowners.	4	No timetable specified.
10. Implement research on swift fox biology and ecology.	10.1. Investigate biological and ecological parameters of swift fox.	10.1.1. Technical committee review current state of knowledge on species and habitat requirements; review current threats to U.S. swift fox population; guide research priorities and consider funding opportunities.	4	Outlined by 1998
		10.1.2. Each state agency and cooperators should address species/habitat needs in site-specific areas identified as having special concerns where population maintenance has been difficult.	4	No timetable specified.
		10.1.3. Investigate the susceptibility of swift fox to common diseases and parasites.	4	No timetable specified
11. Removal of the swift fox from the ESA Category I species listing.	11.1. The SFCT will initiate an effort cooperatively with the USFWS to develop criteria for removal by 2000.	11.1.1. The SFCT, state wildlife agencies, and USFWS will jointly compare current species and habitat information with the criteria for removal of the swift fox from the candidate species listing every 3 to 5 years or annually.	4	2005
	11.2. States should each develop a long-term management plan for swift fox.	11.2.1. Each State Wildlife Agency are to develop management strategies to detail species conservation efforts.	4	2005



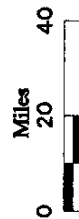
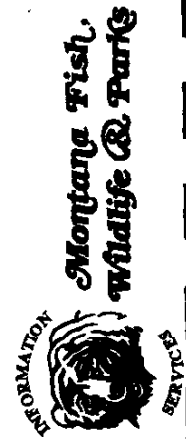
- Swift Fox Found
- Surveyed Township
- County Boundary
- Township Boundary

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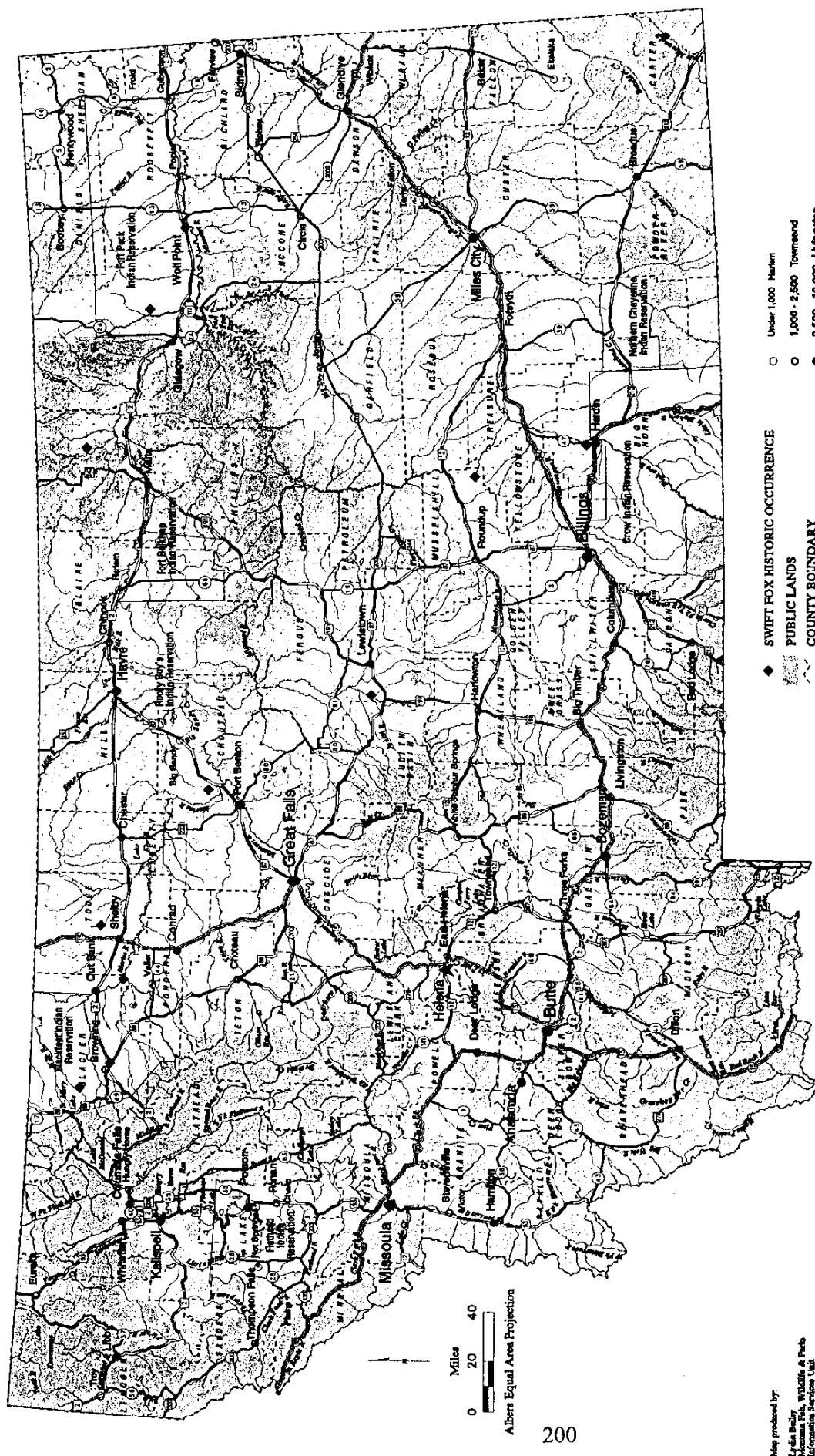
Lydia Bailey  
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Surveyed township data from Montana Fish, Wildlife & Parks Helena, MT. Townships and counties from the Natural Resources Information System, Montana State Library, Helena, MT. Townships and counties digitized at 1:100,000.







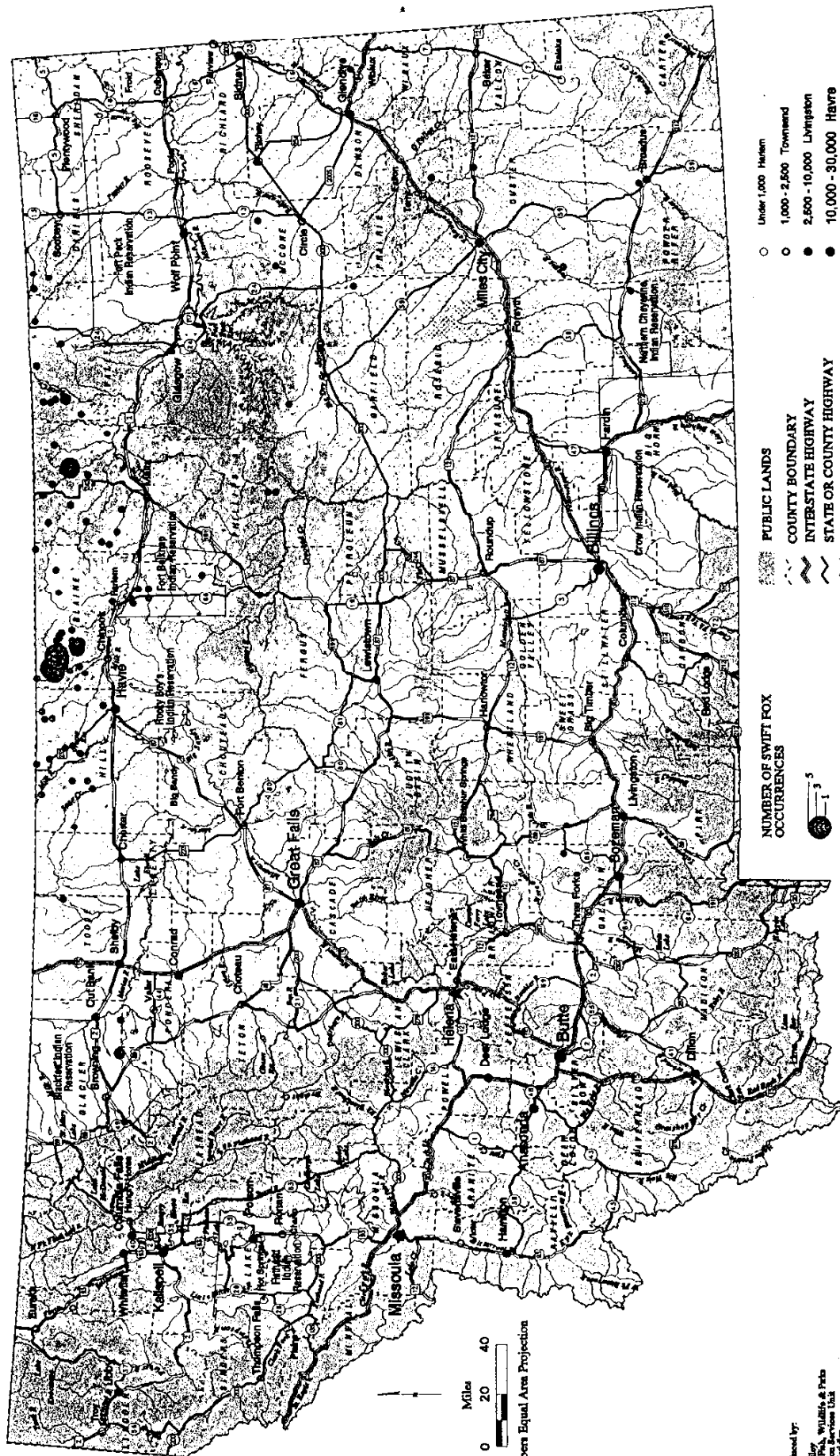
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Swift fox locate locations on this map are a representation of existing information maintained by Montana Fish, Wildlife & Parks. Swift fox historic location data represented on the map were obtained from Montana Fish, Wildlife & Parks occurrence reports and snow track surveys. Swift fox occurrences on this map are current as of August 2000. Swift fox locations data digitized based on geographic relationship to township, range section locations in the Public Land Survey Systems GIS data layer. Public Land Survey Systems digitized at 1:100,000 by the Bureau of Land Management, Billings, MT.

FIGURE 2. HISTORIC SWIFT FOX OCCURRENCE/DISTRIBUTION IN MONTANA.



**Map produced by:**  
 Lynda Bailey  
 Montana Fish, Wildlife & Parks  
 Information Systems Unit  
 400 N. Lincoln  
 Helena, MT 59601

**Map data:**  
 Swift fox locations are based on a combination of existing information submitted by Montana Fish, Wildlife & Parks, Swift fox survey reports, and other sources. Data for occurrences in this map are current as of August 2000. Swift fox locations are digitized based on geographic information system (GIS) data from the Montana Department of Land Management, Billings, MT.

**Map data:**  
 All other layers from the Natural Resources Information System, Montana Data Library, Helena, MT. Public land areas are based on the 1:100,000 scale map of the Bureau of Land Management, Billings, MT. All other layers are digitized at 1:100,000.

FIGURE 3. CURRENT SWIFT FOX OCCURRENCE/DISTRIBUTION IN MONTANA.